UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

Vicky / Bruce

U.S. EPA, REGION II
EMER. & REM. RES. DIV.
1999 JUN 18 AM 3:42
DIRECTOR'S OFFICE

DATE: JUN 16 1999

SUBJECT: Referral to Superfund - Nelson Galvanizing Inc. (NGI) Facility, Long Island City, N.Y.

FROM: George Pavlou, Director
Division of Enforcement and Compliance Assistance

TO: Richard L. Caspe, Director
Emergency and Remedial Response Division

I am writing to bring your attention to a matter which may require Superfund involvement. The conditions at Nelson Galvanizing represent a potential threat to safety and the environment. A CERCLA Removal Action occurred at this facility in 1991 during which hazardous and potentially hazardous wastes and materials were consolidated, staged and removed. However, since that time, more waste, including hazardous waste, has accumulated at the facility.

The facility is located at 11-02 Broadway in Long Island City, New York 11106. Since 1994, the facility has been closed and no galvanizing has occurred. Long Island City High School is located down the block. Children from the school frequent the block on which the facility is located. The facility is in disrepair, with walls and ceilings falling down.

In late 1994, EPA and John Sweeney, President of Nelson Galvanizing signed a RCRA Consent Order (Attachment 5) in which Sweeney was to remove all solid and liquid wastes and raw materials that accumulated since the CERCLA clean-up. Removal was to be completed by late 1995.

New York City Department of Environmental Protection (NYCDEP) Industrial Waste Unit (IWU) inspections between 1995 and 1996, found the facility inactive. In April 1997, IWU referred Nelson to the Division of Emergency Response and Technical Assessment. Nelson had shipped off some material and had dismantled a tank. Subsequently, NYCDEP issued a summons to Mr. Sweeney answerable in criminal court. The purpose of the summons is to force Mr. Sweeney to clean up the site. Mr. Sweeney appeared in Court and claimed that he could not afford to conduct a site-wide clean up. A hearing is scheduled for August 5, 1999. However, the Court cannot order Mr. Sweeney to clean up the site. It can, however, impose a criminal penalty. This information was obtained from NYC Department of Law Attorney Michael Williams.

In June 1998, RCB inspected the facility and a sampling inspection was conducted in July 1998. Approximately 60 to 70 drums, some filled and some partially filled with lead contaminated ferrous sulfate sludge were found. The sludge was generated as a result of the emptying and dismantling of a 7,000 gallon tank of sulfuric acid in which iron was cleaned prior to galvanization. We estimate that about one third of the drums may be hazardous waste. In addition, a 3,000 gallon tank partially filled with sulfuric acid and a 3,000 gallon tank partially filled with sodium hydroxide were found. Both are hazardous waste. The acid tank was TC for chromium and the sodium hydroxide tank was hazardous for corrosiveness. A 1,200 gallon tank partially filled with zinc ammonium chloride (not hazardous) was also found. A DESA sampling report is attached (Attachment 1). The facility has virtually no security.

A RCRA § 3007 Information Request Letter (Attachment 2) was sent to Mr. Sweeney, President of the NGI facility on September 24, 1998. NGI was given thirty (30) days to respond. RCB received no response. As a result, a Notice of Violation (NOV) (Attachment 3) was issued on November 6, 1998. Mr. Sweeney refused to accept this letter.

A second NOV (Attachment 4) was sent to Mr. Sweeney on December 28, 1998 for the following violations: (1) failure to respond to an information request letter; and (2) failure to abide by the requirements of the 1994 consent agreement/consent order (CA/CO) (Attachment 5). It too was not accepted and returned to RCB.

On December 30, 1998, another RCRA § 3007 information request letter (Attachment 6) requesting information on a particular requirement of the CA/CO was sent to Mr. Sweeney. This letter too was refused and returned.

In January 1999, RCB attempted to hand deliver all the above documents. We were permitted to inspect the facility (our observations indicated that there were no apparent changes since July 1998) but John Sweeney once again refused to accept the documents.

If you have any questions please don't hesitate to call me or have a staff member call Phil Clappin of my staff at (212) 637-4129.

Attachments 1 - 7

Attachment 1

RCRA ENFORCEMENT SURVEY SAMPLING INSPECTION

NELSON GALVANIZING INC.
Long Island City, New York

NYD001229350

July 23, 1998

Participating Personnel:

U.S. Environmental Protection Agency
Robert Morrell, Geologist
Thuan Tran, Environmental Scientist
William Glynn, Environmental Scientist
Phillip Clappin, Geologist

Nelson Galvanizing Inc.
Jean-Luc LesCoat

Report Prepared By:

Robert A Morrell, J. 3/2/99
Robert Morrell, Geologist

Approved for the Director By:

Ray Pa 3/4/99
Dore LaPosta, Chief
Monitoring and Assessment Branch

Nelson Galvanizing Inc.
Long Island City, New York

NYD001229350
July 23, 1998

RCRA Enforcement Survey
Sampling Inspection

Objective and Site Background

The results of a RCRA sampling investigation in 1990-91 indicated that Nelson Galvanizing was generating and storing hazardous waste at its Long Island City facility. A Superfund removal action was completed at the Nelson Galvanizing facility in 1991 to properly dispose of all hazardous wastes that were being stored on-site. After the removal action was completed, Nelson Galvanizing resumed operations again in 1991 and continued operations for 2-3 years, generating and storing additional hazardous wastes. In 1994, Nelson Galvanizing signed a RCRA Consent Agreement/ Consent Order to remove and dispose of all hazardous waste and hazardous materials. In 1998, the hazardous waste and hazardous materials were still being stored at the Nelson Galvanizing facility.

At the request of the RCRA Compliance Branch, a RCRA sampling investigation was conducted at Nelson Galvanizing on July 23, 1998. The purpose of this investigation is to determine if hazardous waste is being stored on-site. The results of the analyses will be used to determine compliance with regulations pertaining to the Resource Conservation and Recovery Act (RCRA).

Survey Participants

Nelson Galvanizing Inc.
Jean-Luc LesCoat

U.S. Environmental Protection Agency
Phillip Clappin, Geologist
William Glynn, Environmental Scientist
Thuan Tran, Environmental Scientist
Robert Morrell, Geologist

Facility Description

Nelson Galvanizing, a former galvanizing operation, is located on Broadway in Long Island City, New York. The facility received materials made of steel and iron. The material was first cleaned with wire brushes and then sometimes dipped in a sodium hydroxide bath to further remove paint, grease, and other contaminants. The material was then placed in a heated 5% sulfuric acid bath. To keep the iron from oxidizing, the material was placed in a pre-flux solution of zinc ammonium chloride. The material was then dipped several times in a vat containing the pre-flux solution floating on molten zinc. The material was allowed to cool before being delivered to the

customer.

The waste acids were placed in 55-gallon drums, where iron sulfate sludge was precipitated. The iron sulfate sludge is currently being stored in 55-gallon drums throughout the facility. The facility is also being used as a parking garage.

Sampling Activities

Six drums and three tanks were selected for sampling. All samples were collected while wearing Level C personal protection. The sampling investigation began at Drum #1. Drum #1 consisted of a 55-gallon blue poly drum, half full of a clear liquid. Litmus paper indicated a pH of 11. The drum was sampled using a glass coliwasa. The sample (#090110) was analyzed for Corrosivity.

The sampling investigation continued at Drum #2, which consisted of a 55-gallon steel drum that was 75% full with iron sulfate sludge. Drum #2 was sampled with a polypropylene scoop. The sample (#090111) was analyzed for TCLP Metals.

The sampling team proceeded to Drum #3, which was a 55-gallon steel drum that was half full with iron sulfate sludge. Drum #3 was sampled with a polypropylene scoop. The sample (#090112) was analyzed for TCLP Metals.

The sampling survey continued at Drum #4, which consisted of a 55-gallon steel drum that was 75% full with iron sulfate sludge. Drum #4 was sampled using a polypropylene scoop. The sample (#090113) was analyzed for TCLP Metals.

The sampling team proceeded to Drum #5, which consisted of a 55-gallon steel drum that was 75% full with iron sulfate sludge and a liquid. Litmus paper indicated that the liquid had a pH of 2-3. The sludge sample (#090114) was collected with a polypropylene scoop and analyzed for TCLP Metals. The liquid sample (#090115) was collected with a polypropylene scoop and analyzed for Corrosivity.

The sampling investigation continued at Drum #6, a 55-gallon steel drum. Drum #6 was 75% full with iron sulfate crystals. The sample (#090116) was collected with a polypropylene scoop and was analyzed for TCLP Metals.

Sampling activities continued at the zinc ammonium chloride tank, which was full. Litmus paper indicated a pH of 4. A liquid sample of the tank was collected using a glass coliwasa. This sample (#090117) was analyzed for Corrosivity. A sludge sample of the tank was collected using a rod and clamp. This sample (#090118) was analyzed for TCLP Metals.

The sampling investigation continued at the sodium hydroxide tank, which was two-thirds full and contained no sludge. Litmus paper revealed a pH of 13. A liquid sample (#090121) was collected with a glass coliwasa and was analyzed for Corrosivity.

The sampling team proceeded to the sulfuric acid tank, which was full. Litmus paper indicated that the liquid in the tank had a pH of 2-3. A liquid sample (#090119) of the tank was collected with a glass coliwasa. This sample was analyzed for Corrosivity and TCLP Metals. A sludge sample (#090120) of the tank was collected with a rod and clamp. This sample was analyzed for TCLP Metals.

Analytical Results

Sample Location	Sample Matrix	TCLP Cadmium (mg/L)	TCLP Chromium (mg/L)	TCLP Lead (mg/L)	Corrosivity (pH)
#090110 Drum #1	Liquid	--	--	--	10.3
#090111 Drum #2	Sludge	ND	ND	3.1	--
#090112 Drum #3	Sludge	0.2	ND	6.8	--
#090113 Drum #4	Sludge	ND	ND	ND	--
#090114 Drum #5	Sludge	ND	ND	ND	--
#090115 Drum #5	Liquid	--	--	--	2.2
#090116 Drum #6	Sludge	ND	ND	5.9	--
#090117 Zinc Ammonium Chloride Tank	Liquid	--	--	--	4.0
#090118 Zinc Ammonium Chloride Tank	Sludge	ND	ND	4.2	--

#090119 Sulfuric Acid Tank	Liquid	1.1	7.6	ND	2.8
#090120 Sulfuric Acid Tank	Sludge	0.2	ND	ND	--
#090121 Sodium Hydroxide Tank	Liquid	--	--	--	13.6

ND - not detected

All samples were placed in coolers with wet ice and transported to the EPA Region II Laboratory in Edison, New Jersey. Only those analytes which were detected are reported in the above table. A complete list of analytes is included in the attached Laboratory Analysis Report.

Findings and Conclusions

Analytical results indicate that Nelson Galvanizing is storing hazardous waste at its facility in Long Island City:

1. Drum #3 - Based on the analytical results, the contents of this drum exhibit the RCRA characteristic of Toxicity. The TCLP Lead concentration of 6.8 mg/L is above the TCLP Lead regulatory level of 5.0 mg/L. This drum should be labelled as a D008 hazardous waste.

2. Drum #6 - The contents of this drum also exhibit the RCRA characteristic of Toxicity. The TCLP Lead concentration is 5.9 mg/L, which exceeds the TCLP regulatory level for Lead (5.0 mg/L). This drum should also be labelled as a D008 hazardous waste.

3. Sulfuric Acid Tank - The liquid in this tank exhibits the RCRA characteristic of Toxicity. The TCLP Cadmium concentration is 1.1 mg/L, which exceeds the TCLP regulatory level for Cadmium (1.0 mg/L). The TCLP Chromium concentration is 7.6 mg/L, which exceeds the TCLP regulatory level for Chromium (5.0 mg/L). This tank should be labelled as a D006 hazardous waste and a D007 hazardous waste.

4. Sodium Hydroxide Tank - The liquid in this tank exhibits the RCRA characteristic of Corrosivity. The pH of the liquid in the tank is 13.6, which is well above the regulatory level of 12.5 for Corrosivity.

Attachments

Photographs (#1-#16)
Laboratory Analysis Report
Chain of Custody
Analysis Request
Field Data Sheets

PHOTO LOG

Photo #1: Drum #1.

Photo #2: Drum #2.

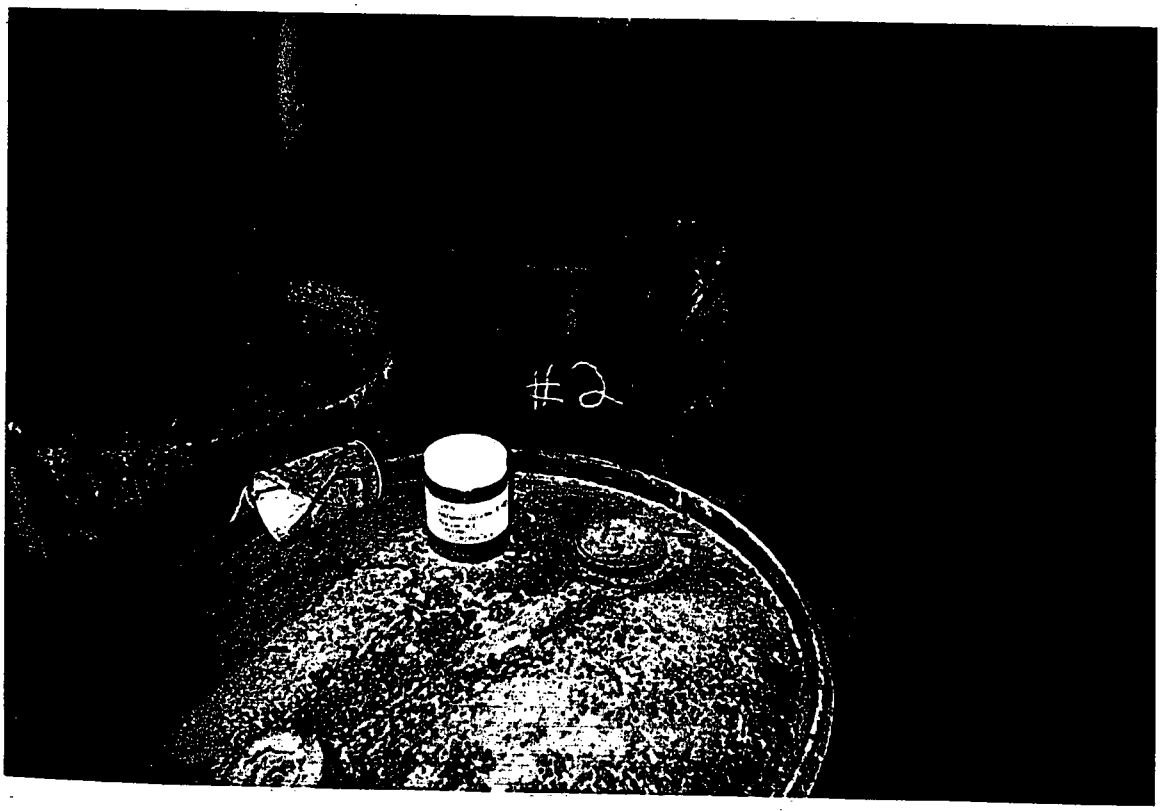

Photo #3: Drum #3.

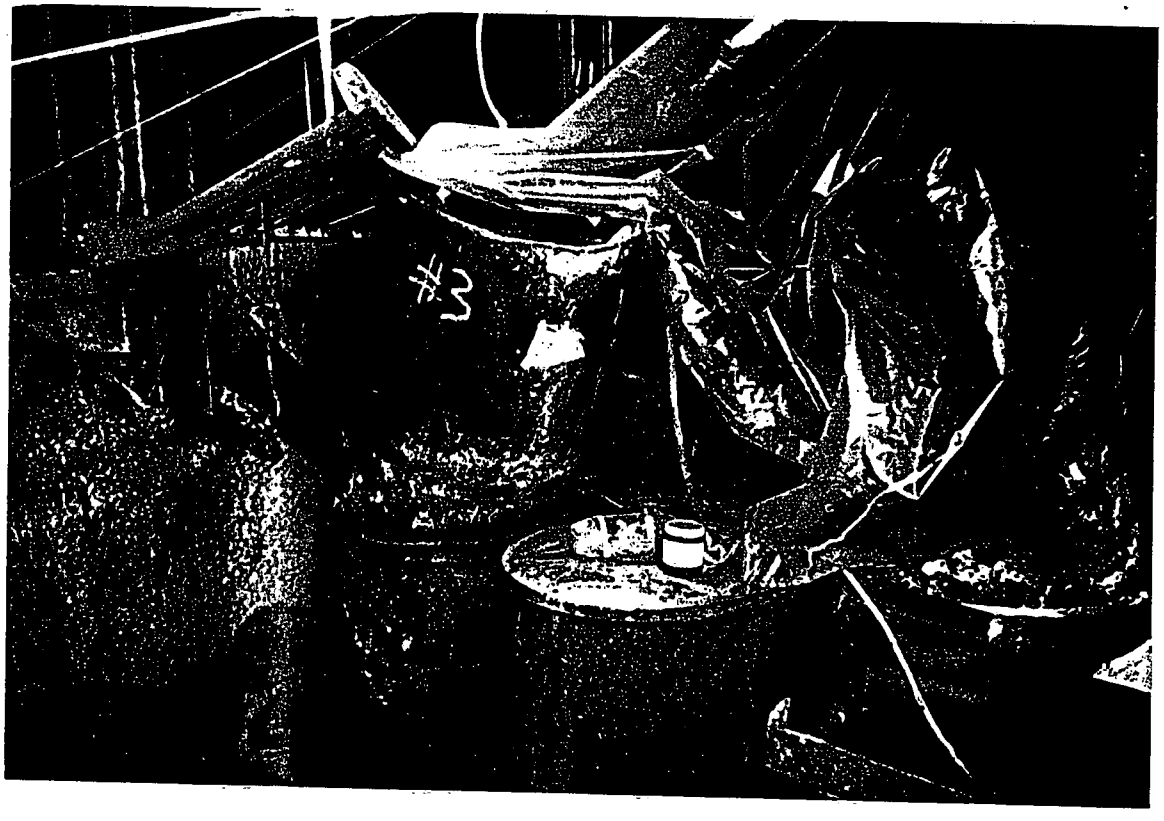

Photo #4: Drum #4.

Photo #5: Drum #5.

Photo #6: Drum #6.

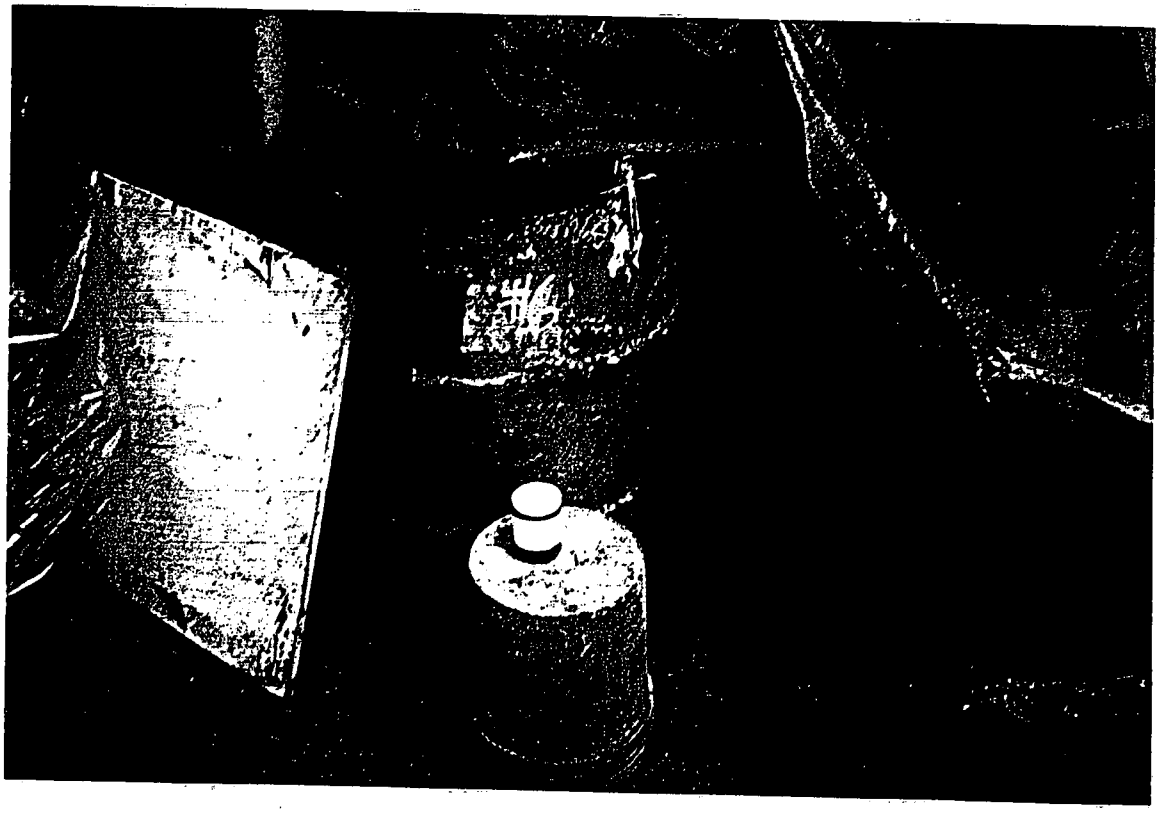

Photo #7: Zinc Ammonium Chloride Tank.

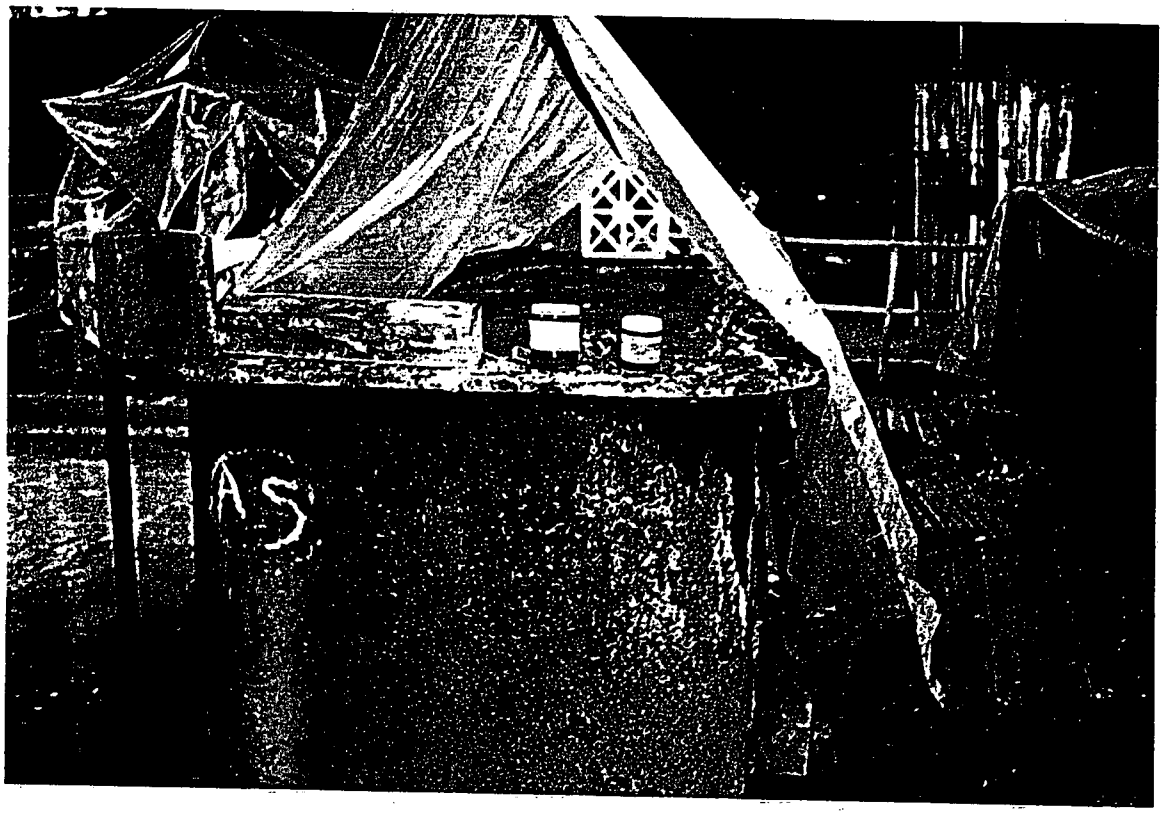

Photo #8: Another view of Zinc Ammonium Chloride Tank.

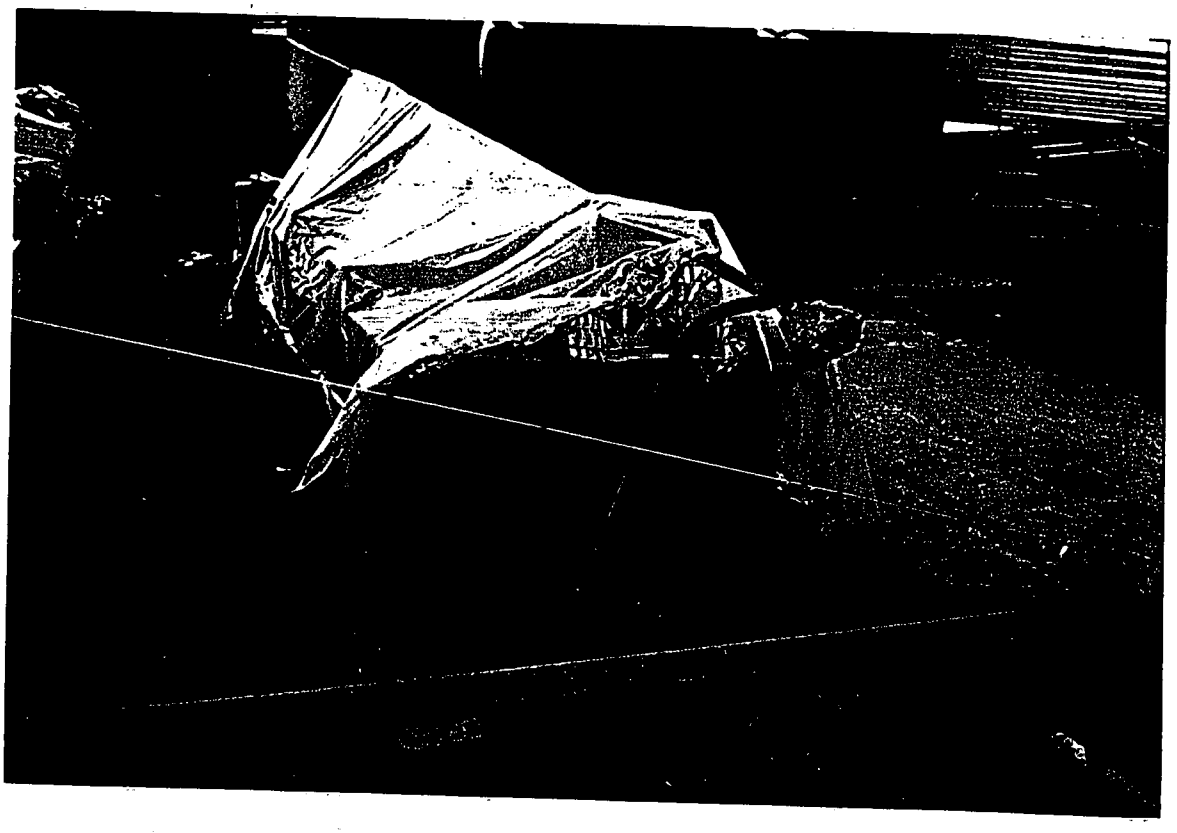

Photo #9: Sodium Hydroxide Tank.

Photo #10: Another view of Sodium Hydroxide Tank.

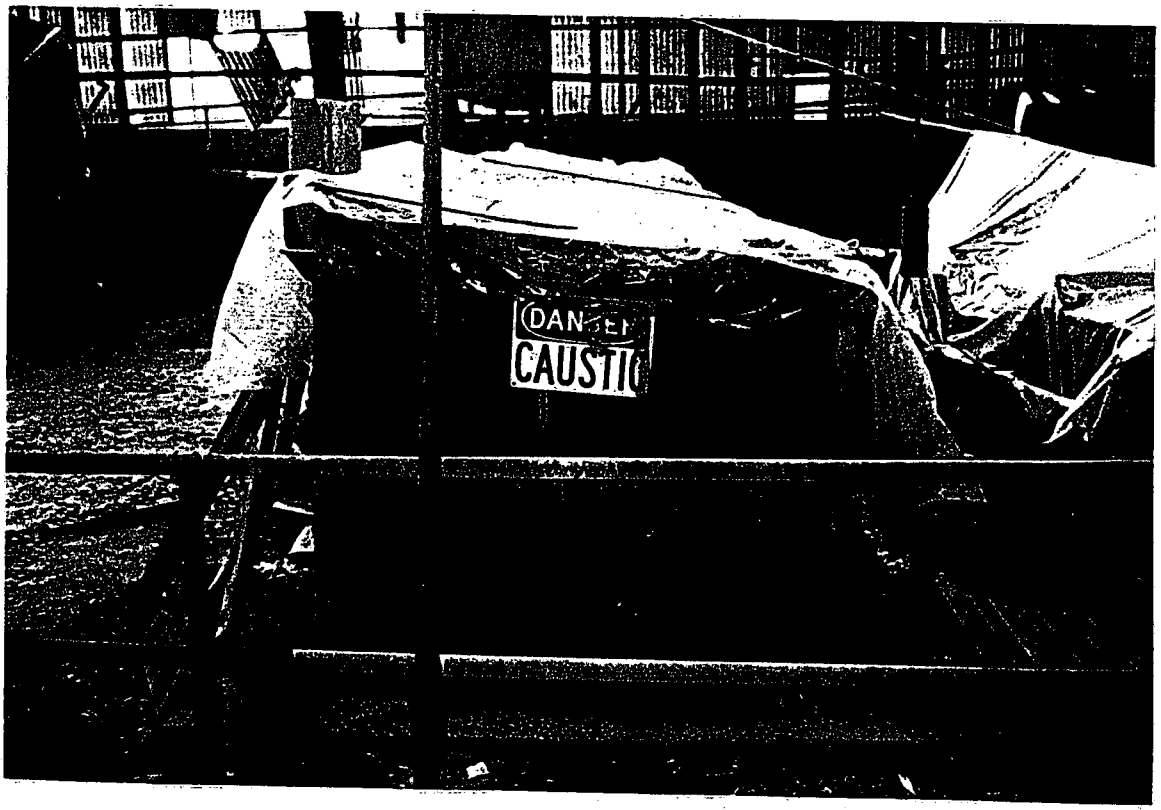

Photo #11: Sulfuric Acid Tank.

Photo #12: Another view of Sulfuric Acid Tank.

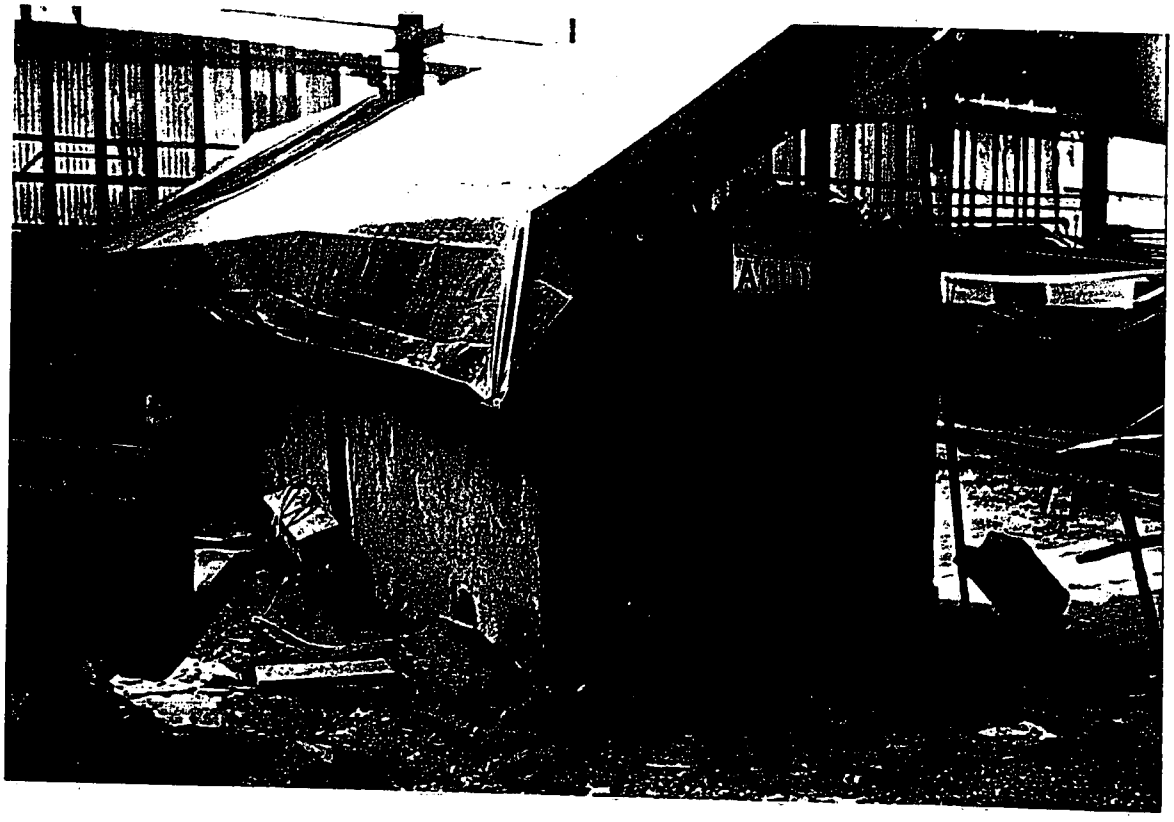

Photo #13: Location where Drum #1 was being stored.

Photo #14: Location of Drum #2 and Drum #3.

Photo #15: Location of Drum #4, Drum #5, and Drum #6.

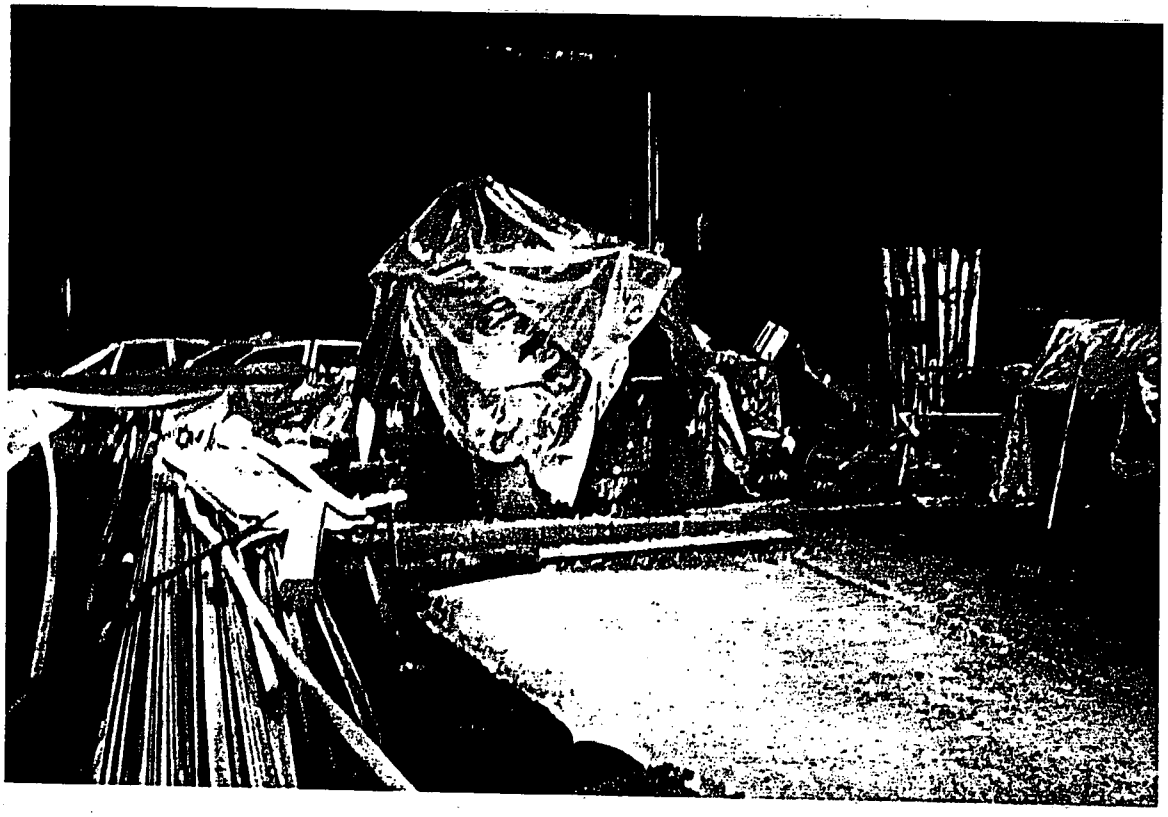

Photo #16: View inside Nelson Galvanizing facility. The left side is currently being used as a parking garage. The right side is used to store hazardous waste.

PROJECT NUMBER	PROJECT DATE	PROJECT NAME			
876	98/07/23	NELSON GALVANIZING		APPROVED	11/17/98

COMPLETED ANALYSIS REPORT

PROJECT NO: 876

PROJECT NAME: NELSON GALVANIZING

EXPLANATIONS OF REMARK CODES

REMARK CODE	EXPLANATION
B	RESULTS BASED UPON COLONY COUNTS OUTSIDE ACCEPTABLE RANGE
J	ESTIMATED VALUE
K	ACTUAL VALUE KNOWN TO BE LESS THAN VALUE GIVEN
L	ACTUAL VALUE KNOWN TO BE GREATER THAN VALUE GIVEN
N	NO OBSERVABLE EFFECT CONCENTRATION < 0.3%
O	SAMPLED BUT NOT ANALYZED DUE TO LAB ACCIDENT
T	REPORTED VALUE LESS THAN CRITERIA OF DETECTION
U	REPORTING LIMIT

QA/QC REMARK CODES

CODE	EXPLANATION
QD	ACCURACY CHECK SAMPLE ABOVE UPPER ACCEPTANCE LIMIT
QE	ACCURACY CHECK SAMPLE BELOW LOWER ACCEPTANCE LIMIT
QF	PRECISION OF CALIBRATION CURVE LESS THAN ACCEPTANCE CRITERIA
QJ	ESTIMATED DETECTION LIMIT DUE TO INTERFERENCE
QG	CONTINUING CALIBRATION CHECK DOES NOT MEET ACCEPTANCE CRITERIA
QS	SPIKE RECOVERIES ABOVE UPPER ACCEPTANCE LIMIT
QR	SPIKE RECOVERIES BELOW LOWER ACCEPTANCE LIMIT
QP	SAMPLE REPLICATE PRECISION DOES NOT MEET ACCEPTANCE CRITERIA
QH	RECOMMENDED HOLDING TIMES EXCEEDED
QT	TENTATIVELY IDENTIFIED COMPOUND
QM	PRESENCE OF MATERIAL VERIFIED BUT NOT QUANTIFIED
QB	BLANK CONTAMINATED BY ANALYTE IN EXCESS OF ACCEPTANCE CRITERIA
QQ	SAMPLE IMPROPERLY PRESERVED

LOCATION CODES FOR IDENTIFICATION OF SAMPLING POINTS AT INDUSTRIAL / SANITARY FACILITIES, LANDFILLS, HAZARDOUS WASTE SITES.

CODE NUMBERS	SAMPLING POINTS
1001 - 1050	EFFLUENT PIPE NUMBER 001 TO 050
1051 - 1099	OTHER EFFLUENTS SUCH AS COOLING TOWER DISCHARGE, DISCHARGE FROM HOLDING PONDS, ETC...
1100 - 1249	IN PLANT SAMPLES
1435 - 1454	SEPARATE INFLUENT POINTS/WATER SOURCES
15XX	INFLUENT ASSOCIATED WITH EFFLUENT 10XX
2000	BLANK FOR VOLATILE ORGANICS
3000 - 3099	GROUND WATER FROM WELL 01 TO 99
3100 - 3199	SEDIMENT SAMPLE (WATER BOTTOM)
3200 - 3299	SOIL SAMPLE
3300 - 3399	STREAM WATER SAMPLE
3400 - 3499	LAGOON SAMPLE
3500 - 3599	STORAGE TANK SAMPLE
3600 - 3699	LEACHATE SAMPLE
3700 - 3799	OTHER TYPE SAMPLE

COMPLETED ANALYSIS REPORT

PROJECT NO: 876

PROJECT NAME: NELSON GALVANIZING

STATION NO	DATE FROM TO	TIME OF DAY	LABNO	PARNO	PARAMETER NAME	UNITS	CHEMISTRY	VALUE & REMARK	QA/QC REMARK
NONE	98/07/23	1146							
DEPTH: 0000 SUBSTRATE: OTHER									
DESCRIPTION: DRUM #1									
			090110	99920	CORROSIVITY	PH		10.3	
NONE	98/07/23	1151							
DEPTH: 0000 SUBSTRATE: SLUDGE									
DESCRIPTION: DRUM #2									
			090111	99999	SILVER	MG/L	TCLP	1 U	
				99999	ARSENIC	MG/L	TCLP	1 U	
				99999	BARIUM	MG/L	TCLP	20 U	
				99999	CADMIUM	MG/L	TCLP	0.2 U	
				99999	CHROMIUM	MG/L	TCLP	1 U	
				99999	LEAD	MG/L	TCLP	3.1	
				99999	SELENIUM	MG/L	TCLP	0.2 U	
NONE	98/07/23	1153							
DEPTH: 0000 SUBSTRATE: SLUDGE									
DESCRIPTION: DRUM #3									
			090112	99999	SILVER	MG/L	TCLP	1 U	
				99999	ARSENIC	MG/L	TCLP	1 U	
				99999	BARIUM	MG/L	TCLP	20 U	
				99999	CADMIUM	MG/L	TCLP	0.2	
				99999	CHROMIUM	MG/L	TCLP	1 U	
				99999	LEAD	MG/L	TCLP	6.8	
				99999	SELENIUM	MG/L	TCLP	0.2 U	
NONE	98/07/23	1156							
DEPTH: 0000 SUBSTRATE: SLUDGE									
DESCRIPTION: DRUM #4									
			090113	99999	SILVER	MG/L	TCLP	1 U	
				99999	ARSENIC	MG/L	TCLP	1 U	
				99999	BARIUM	MG/L	TCLP	20 U	
				99999	CADMIUM	MG/L	TCLP	0.2 U	
				99999	CHROMIUM	MG/L	TCLP	1 U	
				99999	LEAD	MG/L	TCLP	1 U	
				99999	SELENIUM	MG/L	TCLP	0.2 U	

COMPLETED ANALYSIS

PROJECT NO: 876

PROJECT NAME: NELSON GALVANIZING

STATION NO	DATE FROM TO	TIME OF DAY	LABNO	PARNO	PARAMETER NAME	UNITS	CHEMISTRY	VALUE & REMARK	QA/QC REMARK
NONE	98/07/23	1159							
DEPTH: 0000 SUBSTRATE: SLUDGE									
DESCRIPTION: DRUM #5 - SLUDGE									
			090114	99999	SILVER	MG/L	TCLP	1 U	
				99999	ARSENIC	MG/L	TCLP	1 U	
				99999	BARIUM	MG/L	TCLP	20 U	
				99999	CADMIUM	MG/L	TCLP	0.2 U	
				99999	CHROMIUM	MG/L	TCLP	1 U	
				99999	LEAD	MG/L	TCLP	1 U	
				99999	SELENIUM	MG/L	TCLP	0.2 U	
NONE	98/07/23	1158							
DEPTH: 0000 SUBSTRATE: OTHER									
DESCRIPTION: DRUM #5 - LIQUID									
			090115	99920	CORROSIVITY	PH		2.2	
NONE	98/07/23	1205							
DEPTH: 0000 SUBSTRATE: SLUDGE									
DESCRIPTION: DRUM #6									
			090116	99999	SILVER	MG/L	TCLP	1 U	
				99999	ARSENIC	MG/L	TCLP	1 U	
				99999	BARIUM	MG/L	TCLP	20 U	
				99999	CADMIUM	MG/L	TCLP	0.2 U	
				99999	CHROMIUM	MG/L	TCLP	1 U	
				99999	LEAD	MG/L	TCLP	5.9	
				99999	SELENIUM	MG/L	TCLP	0.2 U	
NONE	98/07/23	1212							
DEPTH: 0000 SUBSTRATE: AQUEOUS									
DESCRIPTION: ZINC AMMONIUM CHLORIDE TANK - LIQUID									
			090117	99920	CORROSIVITY	PH		4.0	
NONE	98/07/23	1216							
DEPTH: 0000 SUBSTRATE: SLUDGE									
DESCRIPTION: ZINC AMMONIUM CHLORIDE TANK - SLUDGE									
			090118	99999	SILVER	MG/L	TCLP	1 U	
				99999	ARSENIC	MG/L	TCLP	1 U	
				99999	BARIUM	MG/L	TCLP	20 U	
				99999	CADMIUM	MG/L	TCLP	0.2 U	
				99999	CHROMIUM	MG/L	TCLP	1 U	

COMPLETED ANALYSIS REPORT

PROJECT NO: 876

PROJECT NAME: NELSON GALVANIZING

STATION NO	DATE FROM TO	TIME OF DAY	LABNO	PARNO	PARAMETER NAME	UNITS	CHEMISTRY	VALUE & REMARK	QA/QC REMARK
NONE	98/07/23	1230	090118	99999	LEAD	MG/L	TCLP	4.2	
				99999	SELENIUM	MG/L	TCLP	0.2 U	
DEPTH: 0000 SUBSTRATE: OTHER									
DESCRIPTION: SULFURIC ACID TANK - LIQUID									
			090119	99999	SILVER	MG/L	TCLP	1 U	
				99999	ARSENIC	MG/L	TCLP	1 U	
				99999	BARIUM	MG/L	TCLP	20 U	
				99999	CADMIUM	MG/L	TCLP	1.1	
				99999	CHROMIUM	MG/L	TCLP	7.6	
				99999	LEAD	MG/L	TCLP	1 U	
				99999	SELENIUM	MG/L	TCLP	0.5 U	
				99920	CORROSIVITY	PH		2.8	
NONE	98/07/23	1234							
DEPTH: 0000 SUBSTRATE: SLUDGE									
DESCRIPTION: SULFURIC ACID TANK - SLUDGE									
			090120	99999	SILVER	MG/L	TCLP	1 U	
				99999	ARSENIC	MG/L	TCLP	1 U	
				99999	BARIUM	MG/L	TCLP	20 U	
				99999	CADMIUM	MG/L	TCLP	0.2	
				99999	CHROMIUM	MG/L	TCLP	1 U	
				99999	LEAD	MG/L	TCLP	1 U	
				99999	SELENIUM	MG/L	TCLP	0.2 U	
NONE	98/07/23	1222							
DEPTH: 0000 SUBSTRATE: OTHER									
DESCRIPTION: SODIUM HYDROXIDE TANK									
			090121	99920	CORROSIVITY	PH		13.6	

***** END OF PROJECT *****

CHAIN OF CUSTODY RECORD

ENVIRONMENTAL PROTECTION AGENCY — REGION II
Environmental Services Division
EDISON, NEW JERSEY 08817

...of Unit and Address: Nelson Galvanizing
Long Island City, New York

Sample Number	Number of Containers	Description of Samples
[illegible]110	1	4-oz. glass jar for Corrosivity - Drum #1
[illegible]111	1	8-oz glass jar for TCLP Metals - Drum #2
[illegible]112	1	" " " " " - Drum #3
[illegible]113	1	" " " " " - Drum #4
[illegible]114	1	" " - Drum #5 - Sludge
[illegible]115	1	4-oz. glass jar for Corrosivity - Drum #5 - Liquid
[illegible]116	1	8-oz. glass jar for TCLP Metals - Drum #6
[illegible]117	1	4-oz. glass jar for Corrosivity - Zinc Ammonium Chloride Tank - Liquid
[illegible]118	1	8-oz. glass jar for TCLP Metals - Zinc Ammonium Chloride Tank - Sludge
[illegible]119	2	1 4-oz jar for Corrosivity, ~~[illegible]~~ 1 liter jar for TCLP Metals - Sulfuric Acid Tank - Liquid
[illegible]120	1	8-oz. glass jar for TCLP Metals - Sulfuric Acid Tank - Sludge
[illegible]121	1	4-oz. glass jar for Corrosivity - Sodium Hydroxide Tank

Person Assuming Responsibility for Sample:	Time	Date
[signature]	12:34	7/2[illegible]

Sample Number	Relinquished By:	Received By:	Time	Date	Reason for Change of Custody
[illegible]110 to [illegible]121	[signature]	[signature]	[illegible]	7/[illegible]	[illegible]
[illegible]110 [illegible]121	[signature]	[signature]	[illegible]	7/[illegible]	[illegible]

ANALYSIS REQUEST

CHEM	BIO.	BACT	OTHER
☒			

ENVIRONMENTAL PROTECTION AGENCY
Environmental Services Division — EDISON, N.J.

Request 7/23/92 — Priority ☐ Immediate ☑ Normal ☐ Deferred
of Sample(s) Nelson Galvanizing
Number(s) C90116 → C90121
of Sample ☐ Water ☐ Sediment ☐ Oil ☐ Air ☑ Other (Specify) Sludge + Corrosive Liquids

ICAL CHARACTERISTICS

rbidity	☐ Color	☐ Specific Gravity	☑ Corrosivity (RCRA)
olatile Solids	☐ Total Solids	☐ Viscosity	☐ Other
otal Suspended Solids	☐ Dissolved Solids	☐ % Solids	
olatile Suspended Solids	☐ Settleable Solids	☐ Ignitability (RCRA)	

ANIC/DEMAND ANALYSES

Day BOD	☐ Phenol	☐ Priority Pollutants	☐ Specific Compound
OD	☐ Pesticides	☐ POA	☐ Identify
OC	☐ Herbicides	☐ NVOA	
OD	☐ Long-term O_2 Demand (Carbon)	☐ Other Major Peaks	
CB's	☐ Long-term O_2 Demand (Total)	☐ EP Toxicity	☐ Quantitate
☐ Total	☐ Volatile Acids	☐ Pesticides	
☐ Specific Aroclors	☐ Oil (Identify)	☐ Herbicides	
		☐ Oil & Grease (Quantitate)	

ORGANIC ANALYSES

pH	☐ Alkalinity	☐ TKN	☐ Cd	☐ Ba
Conductivity	☐ CO_3	☐ Org N	☐ Co	☐ Se
Salinity	☐ Total	☐ NH_3-N	☐ Cu	☐ Ag
Chloride	☐ HCO_3	☐ NO_2-N	☐ Pb	☐ Asbestos
SO_4	☐ Chlorine Demand	☐ NO_3-N	☐ Zn	☐ Hexavalent Cr
SO_3	☐ Chlorine Residual	☐ Total P	☐ Fe	
Dissolved S	☐ Free	☐ AH-P	☐ Cr	
Hardness	☐ Total	☐ Ortho-P	☐ As	
☐ Ca	☐ Acidity	☐ Metal Scan TCLP Metals	☐ CN-	
☐ Mg	☐ Free	☑ EP Toxicity (Metals)	☐ F-	
☐ Total/METHOD	☐ Total	☐ Hg (No Mercury!)	☐ Ni	

ENSITIVITY / METHOD

☐ COD	☐ Phosphorous	☐ Phenol	☑ Metals (TCLP)
☐ High Level (> 50 mg/l)	☐ Total	☐ 0-1,000 ppb	☐ Total
☐ Low Level (< 50 mg/l)	☐ Dissolved	☐ Above 1,000 ppb	☐ Dissolved
			☐ Low Sensitivity
			☐ High Sensitivity

MICROBIOLOGY

	MF	MPN	Est. Range
TC	☐	☐	
FC	☐	☐	
FS	☐	☐	

☐ Pathogens
☐ Bacterial
☐ Viral

☐ Clostridium perfringes
☐ Mutagenicity Tests
☐ Ames Test
☐ Viral Enhancement
☐ Other (Specify)
☐ ATP

BIOLOGY

	☐ Static
☐ 24 Hour Bioassay	☐ Flow-Through
☐ 48 Hour Bioassay	☐ Static Replacement
☐ 96 Hour Bioassay	☐ Laboratory
☐ Chronic Bioassay	☐ On Site
☐ Benthos ID	☐ Identify
☐ Fish ID	☐ Quantitate

Requested by [illegible] Date 7/23/92 — Approved by [illegible] Date [illegible]

Remarks

Form: FTB RPD-11-82-1

FIELD DATA SHEET

ENVIRONMENTAL PROTECTION AGENCY - Region II, Edison, New Jersey

ENVIRONMENTAL SERVICES DIVISION

ct Name: Nelson Galvanizing

ctor(s): Morrell Glum Affiliation: U S EPA

PLING METHOD (Circle)

Kemmerer Dredge Ponar Manual

Niskin Net Seine Trawl Bucket

Trowel Cream Dipper

Automatic

Other: Calivata

LDMS CODE: A

DATA BASE CODE: E

STA. TYPE CODE: F

BSTRATE TYPE (Circle) Aqueous Sediment Sludge Oil Biological

Solvent Extract Other (Composite/Caustic)

DD – Seed Supplied ☐ Yes ☐ No Source:

Sample Preparation (Circle)

ntainer	Cleaning Procedure	Preservation
ss Jar	Detergent Wash	Acid
stic Jar	Water Rinse	Solvent
tal	Acid Rinse	Chemical
OA Vial	Solvent Rinse:	Wet Ice
bitainer	Acetone	Dry Ice
etate Core	Hexane	Ambient
per Cap	Methylene Chloride	Other
lon Cap	Other (Specify):	
il Cap	ESS Precleaned	
Other	Glassware	

Sample Source Type (Circle)

Landfill	Industrial
Leachate	Effluent
Drum	Process Stream
Test Well	Holding Pond
Depth:	Drum
Other:	Waste Pile
	Municipal Treatment
Storage Tank	Influent
Top	Effluent-Cl
Middle	Effluent-Non Cl
Bottom	Sludge
Truck	Ambient
Drum	Lake
Tank	Stream
Other	Pond
	Ocean
Wells	Estuary
Monitoring	
Production	
Drinking	
Private	

Sample Location Description:

Drum #1

Remarks:

Analysis:
1 4oz. glass jar for Corrosivity

Samples to:

Bact	Bio	Chem	Other
		X	

Station No.:

Sample Depth (Ft.)/Fac. Loc. Code:

Lab Number: 090110

Type of Sample

Grab	Composite	
	Time	Space
X		

Collection (Ending) Date

Yr	Mo	Day
95	07	23

Ending Time (24 Hr): 1146

Beginning Date

Yr	Mo	Day

Beginning Time (24 Hr):

pH: 11.0

Sample Temp. (°C):

DO (mg/l):

Cond. (uMHOS/CM):

Salinity(‰):

Sample Split

☐ Yes ☑ No

If Yes With Whom?

Receipt ☐ Yes ☑ No

FIELD DATA SHEET

ENVIRONMENTAL PROTECTION AGENCY - Region II, Edison, New Jersey

ENVIRONMENTAL SERVICES DIVISION

Project Name: Nelson Galvanizing

Collector(s): Morrell Glynn Affiliation: U.S. EPA

SAMPLING METHOD (Circle)
Kemmerer Dredge Ponar Manual
Niskin Net Seine Trawl Bucket
Trowel Cream Dipper
Automatic
Other: Plastic Scoop

LDMS CODE: H
DATA BASE CODE: E
STA. TYPE CODE: F

SUBSTRATE TYPE (Circle) Aqueous Sediment (Sludge) Oil Biological
Solvent Extract Other ( )

BOD — Seed Supplied ☐ Yes ☐ No Source:

Sample Preparation (Circle)		Sample Source Type (Circle)	
Container	Cleaning Procedure	Landfill	Industrial
Glass Jar	Detergent Wash	Leachate	Effluent
Plastic Jar	Water Rinse	Drum	Process Stream
Metal	Acid Rinse	Test Well	Holding Pond
POA Vial	Solvent Rinse:	Depth:	(Drum)
Cubitainer	Acetone	Other:	Waste Pile
Acetate Core	Hexane		Municipal Treatment
Paper Cap	Methylene Chloride	Storage Tank	Influent
Teflon Cap	Other (Specify):	Top	Effluent-Cl
Foil Cap	ESS Acetone	Middle	Effluent-Non Cl
Other	Skimmer	Bottom	Sludge
Preservation		Truck	Ambient
Acid		Drum	Lake
Solvent		Tank	Stream
Chemical		Other	Pond
(Wet Ice)			Ocean
Dry Ice		Wells	Estuary
Ambient		Monitoring	
Other		Production	
		Drinking	
		Private	

Sample Location Description:

Drum #2

Remarks:

Analysis:

1 8-oz. glass jar for TCLP Metals

Samples to: Bact | Bio | Chem (X) | Other

Station No.

Sample Depth (Ft.)/Fac. Loc. Code

Lab Number: 090111

Type of Sample: Grab (X) | Composite: Time | Space

Collection (Ending) Date: Yr 93 Mo 07 Day 23

Ending Time (24 Hr): 1151

Beginning Date: Yr | Mo | Day

Beginning Time (24 Hr)

pH

Sample Temp. (°C)

DO (mg/l)

Cond. (uMHOS/CM)

Salinity(‰)

Sample Split
☐ Yes ☑ No

If Yes With Whom?

Receipt ☐ Yes ☑ No

FIELD DATA SHEET

ENVIRONMENTAL PROTECTION AGENCY - Region II, Edison, New Jersey

ENVIRONMENTAL SERVICES DIVISION

Name: Nelson Galvanizing
Collector(s): Morrell, Glynn Affiliation: U.S. EPA

SAMPLING METHOD (Circle)
Zemmerer Dredge Ponar Manual
Ekman Net Seine Trawl Bucket
Trowel Cream Dipper
Automatic
Other: Plastic Scoop

LDMS CODE: H
DATA BASE CODE: E
STA. TYPE CODE: F

SUBSTRATE TYPE (Circle) Aqueous Sediment Sludge Oil Biological
Solvent Extract Other ( )

SEED = Seed Supplied ☐ Yes ☐ No Source:

Sample Preparation (Circle)		Sample Source Type (Circle)	
Container	Cleaning Procedure	Landfill	Industrial
Glass Jar	Detergent Wash	Leachate	Effluent
Plastic Jar	Water Rinse	Drum	Process Stream
Metal	Acid Rinse	Test Well	Holding Pond
VOA Vial	Solvent Rinse:	Depth:	Drum
Sorbitainer	Acetone	Other:	Waste Pile
Sediment Core	Hexane		Municipal Treatment
Teflon Cap	Methylene Chloride	Storage Tank	Influent
Foil Cap	Other (Specify):	Top	Effluent-Cl
Other	ESS Precleaned Glassware	Middle	Effluent-Non Cl
		Bottom	Sludge
Preservation		Truck	Ambient
Acid		Drum	Lake
Solvent		Tank	Stream
Chemical		Other	Pond
Wet Ice			Ocean
Dry Ice		Wells	Estuary
Ambient		Monitoring	
Other		Production	
		Drinking	
		Private	

Sample Location Description:

Drum #?

Remarks:

Analysis:
1 8 oz. glass jar for TCLP Metals

Samples to:

Bact	Bio	Chem	Other
		X	

Station No.:

Sample Depth (Ft.)/Fac. Loc. Code:

Lab Number: 090112

Type of Sample

Grab	Composite	
	Time	Space
X		

Collection (Ending) Date

Yr	Mo	Day
92	07	23

Ending Time (24 Hr): 1153

Beginning Date

Yr	Mo	Day

Beginning Time (24 Hr):

pH:

Sample Temp. (°C):

DO (mg/l):

Cond. (uMHOS/CM):

Salinity(‰):

Sample Split
☐ Yes ☑ No

If Yes With Whom?

Receipt ☐ Yes ☐ No

FIELD DATA SHEET

ENVIRONMENTAL PROTECTION AGENCY - Region II, Edison, New Jersey

ENVIRONMENTAL SERVICES DIVISION

Project Name: Meisel Galvanizing

Collector(s): Morrell, Glynn Affiliation: U.S EPA

SAMPLING METHOD (Circle)

Kemmerer Dredge Ponar Manual
Niskin Net Seine Trawl Bucket
Trowel Cream Dipper
Automatic
Other: Plastic Scoop

LDMS CODE: 17

DATA BASE CODE: E

STA. TYPE CODE: F

SUBSTRATE TYPE (Circle) Aqueous Sediment (Sludge) Oil Biological
Solvent Extract Other ( )

QA/QC – Seed Supplied ☐ Yes ☐ No Source:

Sample Preparation (Circle)		Sample Source Type (Circle)	
Container	Cleaning Procedure	Landfill	Industrial
Glass Jar	Detergent Wash	Leachate	Effluent
Plastic Jar	Water Rinse	Drum	Process Stream
Metal	Acid Rinse	Test Well	Holding Pond
VOA Vial	Solvent Rinse:	Depth:	(Drum)
Sorbitainer	Acetone	Other:	Waste Pile
Petrate Core	Hexane		Municipal Treatment
Paper Cap	Methylene Chloride	Storage Tank	Influent
Teflon Cap	Other (Specify):	Top	Effluent-Cl
Foil Cap	EST Precleaned	Middle	Effluent-Non Cl
Other	Glassware	Bottom	Sludge
Preservation		Truck	Ambient
Acid		Drum	Lake
Solvent		Tank	Stream
Chemical		Other	Pond
(Ice)			Ocean
Dry Ice		Wells	Estuary
Ambient		Monitoring	
Other		Production	
		Drinking	
		Private	

Sample Location Description:

Drum #4

Remarks:

Analysis:

1 8-oz. glass jar for TCLP Metals

Samples to:

Bact	Bio	Chem	Other
		X	

Station No.

Sample Depth (Ft.)/Fac. Loc. Code

Lab Number: 090113

Type of Sample

Grab	Composite	
	Time	Space
X		

Collection (Ending) Date: Yr 97 Mo 07 Day 21

Ending Time (24 Hr): 1156

Beginning Date: Yr Mo Day

Beginning Time (24 Hr)

pH

Sample Temp. (°C)

DO (mg/l)

Cond. (uMHOS/CM)

Salinity(‰)

Sample Split

☐ Yes ☑ No

If Yes With Whom?

Receipt ☐ Yes ☑ No

FIELD DATA SHEET

ENVIRONMENTAL PROTECTION AGENCY - Region II, Edison, New Jersey

ENVIRONMENTAL SERVICES DIVISION

Project Name: Nelson Galvanizing

Collector(s): Morrell, Glyn Affiliation: / US EPA

SAMPLING METHOD (Circle)
Kemmerer Dredge Ponar Manual
Niskin Net Seine Trawl Bucket
Trowel Cream Dipper
Automatic
Other: Plastic Scoop

LDMS CODE: 4
DATA BASE CODE: E
STA. TYPE CODE: F

SUBSTRATE TYPE (Circle) Aqueous Sediment (Sludge) Oil Biological
Solvent Extract Other ( )

FOOD — Seed Supplied ☐ Yes ☐ No Source:

Sample Preparation (Circle)		Sample Source Type (Circle)	
Container	Cleaning Procedure	Landfill	Industrial
(Glass Jar)	Detergent Wash	Leachate	Effluent
Plastic Jar	Water Rinse	Drum	Process Stream
Metal	Acid Rinse	Test Well	Holding Pond
VOA Vial	Solvent Rinse:	Depth:	(Drum)
Cubitainer	Acetone	Other:	Waste Pile
Acetate Core	Hexane		Municipal Treatment
Paper Cap	Methylene Chloride	Storage Tank	Influent
(Teflon Cap)	Other (Specify):	Top	Effluent-Cl
Foil Cap	ESS Pre-cleaned Glassware	Middle	Effluent-Non Cl
Other		Bottom	Sludge
Preservation		Truck	Ambient
Acid		Drum	Lake
Solvent		Tank	Stream
Chemical		Other	Pond
(Wet Ice)		Wells	Ocean
Dry Ice		Monitoring	Estuary
Ambient		Production	
Other		Drinking	
		Private	

Sample Location Description:

Drum #5 - Sludge

Remarks:

Analysis:

1 pre-cl. glass jar for TCLP Metals

Samples to:

Bact	Bio	Chem	Other
		X	

Station No.:

Sample Depth (Ft.)/Fac. Loc. Code:

Lab Number: 090114

Type of Sample

Grab	Composite	
	Time	Space
X		

Collection (Ending) Date

Yr	Mo	Day
93	07	13

Ending Time (24 Hr): 1159

Beginning Date

Yr	Mo	Day

Beginning Time (24 Hr):

pH:

Sample Temp. (°C):

DO (mg/l):

Cond. (uMHOS/CM):

Salinity(‰):

Sample Split
☐ Yes ☑ No

If Yes With Whom?

Receipt ☐ Yes ☑ No

FIELD DATA SHEET

ENVIRONMENTAL PROTECTION AGENCY - Region II, Edison, New Jersey

ENVIRONMENTAL SERVICES DIVISION

Nelson Galvanizing

Morrell, Glynn Affiliation U.S. EPA

METHOD (Circle)

Dredge Ponar Manual

Net Seine Trawl Bucket

Cream Dipper

Plastic Scoop

LDMS CODE H

DATA BASE CODE F

STA. TYPE CODE F

MATRIX TYPE (Circle) Aqueous Sediment Sludge Oil Biological

Solvent Extract Other (Corrosive)

Blind Supplied ☐ Yes ☐ No Source:

Sample Preparation (Circle)	Sample Source Type (Circle)	
Cleaning Procedure	Landfill	Industrial
Detergent Wash	Leachate	Effluent
Water Rinse	Drum	Process Stream
Acid Rinse	Test Well	Holding Pond
Solvent Rinse:	Depth:	Drum
Acetone	Other:	Waste Pile
Hexane		Municipal Treatment
Methylene Chloride	Storage Tank	Influent
Other (Specify):	Top	Effluent-Cl
ESS Acetone	Middle	Effluent-Non Cl
Glassware	Bottom	Sludge
	Truck	Ambient
	Drum	Lake
	Tank	Stream
	Other	Pond
		Ocean
	Wells	Estuary
	Monitoring	
	Production	
	Drinking	
	Private	

Sample Location Description:

Drum #5 - Liquid

Remarks:

Analysis:

1 4-oz. glass jar for Corrosivity

Samples to:

Bact	Bio	Chem	Other
		X	

Station No.

Sample Depth (Ft.)/Fac. Loc. Code

Lab Number

090115

Type of Sample

Grab	Composite	
	Time	Space
X		

Collection (Ending) Date

Yr	Mo	Day
91	05	23

Ending Time (24 Hr)

1158

Beginning Date

Yr	Mo	Day

Beginning Time (24 Hr)

pH

12.5

Sample Temp. (°C)

DO (mg/l)

Cond. (uMHOS/CM)

Salinity(‰)

Sample Split

☐ Yes ☑ No

If Yes With Whom?

Receipt ☐ Yes ☑ No

FIELD DATA SHEET

ENVIRONMENTAL PROTECTION AGENCY - Region II, Edison, New Jersey

ENVIRONMENTAL SERVICES DIVISION

Project Name: Nelson Galvan. Zinc

Collector(s): Morrell, Glynn Affiliation: U.S. EPA

SAMPLING METHOD (Circle)

Kemmerer Dredge Ponar Manual
Niskin Net Seine Trawl Bucket
Trowel Cream Dipper
Automatic
Other: Plast. c Scoop

LDMS CODE: H

DATA BASE CODE: E

STA. TYPE CODE: F

SUBSTRATE TYPE (Circle) Aqueous Sediment (Sludge) Oil Biological
Solvent Extract Other ( )

FOOD — Seed Supplied ☐ Yes ☐ No Source:

Sample Preparation (Circle)		Sample Source Type (Circle)	
Container	Cleaning Procedure	Landfill	Industrial
(Glass Jar)	Detergent Wash	Leachate	Effluent
Plastic Jar	Water Rinse	Drum	Process Stream
Metal	Acid Rinse	Test Well	Holding Pond
VOA Vial	Solvent Rinse:	Depth:	(Drum)
Cubitainer	Acetone	Other:	Waste Pile
Acetate Core	Hexane		Municipal Treatment
Paper Cap	Methylene Chloride	Storage Tank	Influent
(Teflon Cap)	Other (Specify):	Top	Effluent-Cl
Foil Cap	EES Precleaned	Middle	Effluent-Non Cl
Other	Glassware	Bottom	Sludge
Preservation		Truck	Ambient
Acid		Drum	Lake
Solvent		Tank	Stream
Chemical		Other	Pond
(Wet Ice)			Ocean
Dry Ice		Wells	Estuary
Ambient		Monitoring	
Other		Production	
		Drinking	
		Private	

Sample Location Description:

Drum #6

Remarks: Analysis:

1 8-oz. glass jar for TCLP Metals

Samples to:

Bact	Bio	Chem	Other
		X	

Station No.:

Sample Depth (Ft.)/Fac. Loc. Code:

Lab Number: 090116

Type of Sample

Grab	Composite	
	Time	Space
X		

Collection (Ending) Date

Yr	Mo	Day
93	07	23

Ending Time (24 Hr): 1259

Beginning Date

Yr	Mo	Day

Beginning Time (24 Hr):

pH:

Sample Temp. (°C):

DO (mg/l):

Cond. (uMHOS/CM):

Salinity(‰):

Sample Split

☐ Yes ☑ No

If Yes With Whom?

Receipt ☐ Yes ☑ No

FIELD DATA SHEET

ENVIRONMENTAL PROTECTION AGENCY - Region II, Edison, New Jersey

ENVIRONMENTAL SERVICES DIVISION

Project Name: NEWCO Galvanizing

Collector(s): Morrell, Glynn Affiliation: U.S. EPA

SAMPLING METHOD (Circle)
Kemmerer Dredge Ponar Manual
Niskin Net Seine Trawl Bucket
Trowel Cream Dipper
Automatic
Other: Coliwasa

LDMS CODE: H
DATA BASE CODE: E
STA. TYPE CODE: F

SUBSTRATE TYPE (Circle) (Aqueous) Sediment Sludge Oil Biological
Solvent Extract Other ( )

QA – Seed Supplied ☐ Yes ☐ No Source:

Sample Preparation (Circle)		Sample Source Type (Circle)	
Container	Cleaning Procedure	Landfill	Industrial
(Glass Jar)	Detergent Wash	Leachate	Effluent
Plastic Jar	Water Rinse	Drum	Process Stream
Metal	Acid Rinse	Test Well	Holding Pond
VOA Vial	Solvent Rinse:	Depth:	Drum
Sterilin	Acetone	Other:	Waste Pile
Acetate Core	Hexane		Municipal Treatment
Teflon Cap	Methylene Chloride	(Storage Tank)	Influent
Foil Cap	Other (Specify):	Top	Effluent-Cl
Other	FSS Preclean +	Middle	Effluent-Non Cl
	Glassware	Bottom	Sludge
Preservation		Truck	Ambient
Acid		Drum	Lake
Solvent		Tank	Stream
Chemical		Other	Pond
(Wet Ice)			Ocean
Dry Ice		Wells	Estuary
Ambient		Monitoring	
Other		Production	
		Drinking	
		Private	

Sample Location Description:

Zinc Ammonium Chloride Tank - Liquid

Remarks:

Analysis:

1 4-oz. glass jar for Corrosivity

Samples to:

Bact	Bio	Chem	Other
		X	

Station No.:

Sample Depth (Ft.)/Fac. Loc. Code:

Lab Number: 090117

Type of Sample

Grab	Composite	
	Time	Space
X		

Collection (Ending) Date

Yr	Mo	Day
93	03	23

Ending Time (24 Hr): 1312

Beginning Date

Yr	Mo	Day

Beginning Time (24 Hr):

pH: 4.0

Sample Temp. (°C):

DO (mg/l):

Cond. (uMHOS/CM):

Salinity(‰):

Sample Split
☐ Yes ☑ No

If Yes With Whom?

Receipt ☐ Yes ☑ No

FIELD DATA SHEET

ENVIRONMENTAL PROTECTION AGENCY - Region II, Edison, New Jersey

ENVIRONMENTAL SERVICES DIVISION

Project Name: Nelson Galvan. Zinc

Collector(s): Marcel Glass Affiliation: U.S. EPA

SAMPLING METHOD (Circle)

Kemmerer Dredge Ponar Manual

Niskin Net Seine Trawl Bucket

Trowel Cream Dipper

Automatic

Other: Rod + Clamp

LDMS CODE: H

DATA BASE CODE: E

STA. TYPE CODE: F

SUBSTRATE TYPE (Circle) Aqueous Sediment (Sludge) Oil Biological

Solvent Extract Other ( )

QC – Seed Supplied ☐ Yes ☐ No Source:

Sample Preparation (Circle)		Sample Source Type (Circle)	
Container	Cleaning Procedure	Landfill	Industrial
Glass Jar	Detergent Wash	Leachate	Effluent
Plastic Jar	Water Rinse	Drum	Process Stream
Metal	Acid Rinse	Test Well	Holding Pond
VOA Vial	Solvent Rinse:	Depth:	Drum
Sterile	Acetone	Other:	Waste Pile
Acetate Core	Hexane		Municipal Treatment
Paper Cap	Methylene Chloride	Storage Tank	Influent
Teflon Cap	Other (Specify): ESS Protocol Glassware	Top	Effluent-Cl
Foil Cap		Middle	Effluent-Non Cl
Other		Bottom	Sludge
Preservation		Truck	Ambient
Acid		Drum	Lake
Solvent		Tank	Stream
Chemical		Other	Pond
Wet Ice		Wells	Ocean
Dry Ice		Monitoring	Estuary
Ambient		Production	
Other		Drinking	
		Private	

Sample Location Description:

Zinc Ammonium Chloride - Tank - Sludge

Remarks:

Analysis:

1 8-oz glass jar for TCLP Metals

Samples to:

Bact	Bio	Chem	Other
		X	

Station No.:

Sample Depth (Ft.)/Fac. Loc. Code:

Lab Number: 090118

Type of Sample

Grab	Composite	
	Time	Space
X		

Collection (Ending) Date

Yr	Mo	Day
98	07	23

Ending Time (24 Hr): 1216

Beginning Date

Yr	Mo	Day

Beginning Time (24 Hr):

pH:

Sample Temp. (°C):

DO (mg/l):

Cond. (uMHOS/CM):

Salinity(‰):

Sample Split

☐ Yes ☑ No

If Yes With Whom?

Receipt ☐ Yes ☐ No

FIELD DATA SHEET

ENVIRONMENTAL PROTECTION AGENCY - Region II, Edison, New Jersey

ENVIRONMENTAL SERVICES DIVISION

Name: Nelson Galvanizing

Collector(s): Morrell Glynn Affiliation: U.S. EPA

SAMPLING METHOD (Circle)
Hammerer Dredge Ponar Manual
Beaker Net Seine Trawl Bucket
Trowel Cream Dipper
Automatic
Other: Coliwasa

LDMS CODE: H

DATA BASE CODE: E

STA. TYPE CODE: F

SUBSTRATE TYPE (Circle) Aqueous Sediment Sludge Oil Biological
Solvent Extract Other (Corrosive-Acid)

Seed Supplied ☐ Yes ☐ No Source:

Sample Preparation (Circle)		Sample Source Type (Circle)	
Container	Cleaning Procedure	Landfill	Industrial
Glass Jar	Detergent Wash	Leachate	Effluent
Plastic Jar	Water Rinse	Drum	Process Stream
Bag	Acid Rinse	Test Well	Holding Pond
Vial	Solvent Rinse:	Depth:	Drum
Container	Acetone	Other:	Waste Pile
Sediment Core	Hexane		Municipal Treatment
Foil Cap	Methylene Chloride	Storage Tank	Influent
Septum Cap	Other (Specify):	Top	Effluent-Cl
Screw Cap	ESS Prelcaned Glassware	Middle	Effluent-Non Cl
		Bottom	Sludge
		Truck	Ambient
Preservation		Drum	Lake
		Tank	Stream
		Other	Pond
Chemical			Ocean
Ice		Wells	Estuary
Ice		Monitoring	
Solvent		Production	
		Drinking	
		Private	

Sample Location Description:

Sulfuric Acid Tank - Liquid

Remarks:

Analysis:
1 402 glass jar for Corrosivity
1 1-Liter glass jar for TCLP Metals

Samples to:

Bact	Bio	Chem	Other
		X	

Station No.:

Sample Depth (Ft.)/Fac. Loc. Code:

Lab Number: 090119

Type of Sample

Grab	Composite	
	Time	Space
X		

Collection (Ending) Date

Yr	Mo	Day
91	07	15

Ending Time (24 Hr): 1230

Beginning Date

Yr	Mo	Day

Beginning Time (24 Hr):

pH: 2.5

Sample Temp. (°C):

DO (mg/l):

Cond. (uMHOS/CM):

Salinity(‰):

Sample Split
☐ Yes ☑ No

If Yes With Whom?

Receipt ☐ Yes ☑ No

FIELD DATA SHEET

ENVIRONMENTAL PROTECTION AGENCY - Region II, Edison, New Jersey

ENVIRONMENTAL SERVICES DIVISION

t Name: Nelson Galvanizing

ctor(s): Morrell Glynn Affiliation: U.S. EPA

PLING METHOD (Circle)

Kemmerer Dredge Ponar Manual
Niskin Net Seine Trawl Bucket
Trowel Cream Dipper
Automatic
Other: Rod + Clamp

LDMS CODE: H

DATA BASE CODE: E

STA. TYPE CODE: F

BSTRATE TYPE (Circle) Aqueous Sediment (Sludge) Oil Biological
Solvent Extract Other ( )

D – Seed Supplied ☐ Yes ☐ No Source:

Sample Preparation (Circle)		Sample Source Type (Circle)	
ntainer	Cleaning Procedure	Landfill	Industrial
ass Jar	Detergent Wash	Leachate	Effluent
lastic Jar	Water Rinse	Drum	Process Stream
etal	Acid Rinse	Test Well	Holding Pond
OA Vial	Solvent Rinse:	Depth:	Drum
ubitainer	Acetone	Other:	Waste Pile
cetate Core	Hexane		Municipal Treatment
Paper Cap	Methylene Chloride	(Storage Tank)	Influent
efion Cap	Other (Specify):	Top	Effluent-Cl
Foil Cap	EST Packaging	Middle	Effluent-Non Cl
Other	Glassware	(Bottom)	Sludge
		Truck	Ambient
Preservation		Drum	Lake
Acid		Tank	Stream
Solvent		Other	Pond
Chemical			Ocean
(Wet Ice)		Wells	Estuary
Dry Ice		Monitoring	
Ambient		Production	
Other		Drinking	
		Private	

Sample Location Description:

Sulfuric Acid Tank - Sludge

Remarks:

Analysis:
1 8-oz. glass jar for TCLP Metals

Samples to:

Bact	Bio	Chem	Other
		X	

Station No.

Sample Depth (Ft.)/Fac. Loc. Code

Lab Number: 090120

Type of Sample

Grab	Composite	
	Time	Space
X		

Collection (Ending) Date

Yr	Mo	Day
93	07	23

Ending Time (24 Hr): 1234

Beginning Date

Yr	Mo	Day

Beginning Time (24 Hr)

pH

Sample Temp. (°C)

DO (mg/l)

Cond. (uMHOS/CM)

Salinity(‰)

Sample Split

☐ Yes ☑ No

If Yes With Whom?

Receipt ☐ Yes ☑ No

FIELD DATA SHEET

ENVIRONMENTAL PROTECTION AGENCY - Region II, Edison, New Jersey

ENVIRONMENTAL SERVICES DIVISION

Name: Nelson Galvanizing

Collector(s): Marcell Olmo Affiliation: U.S. EPA

LING METHOD (Circle)

Hammerer Dredge Ponar Manual

Peterskin Net Seine Trawl Bucket

Trowel Cream Dipper

Automatic

Other: Col. Wave

LDMS CODE: H

DATA BASE CODE: E

STA. TYPE CODE: F

STRATE TYPE (Circle) Aqueous Sediment Sludge Oil Biological

Solvent Extract Other (Corrs. Ve - Caustic)

Seed Supplied ☐ Yes ☐ No Source:

Sample Preparation (Circle)		Sample Source Type (Circle)	
ainer	Cleaning Procedure	Landfill	Industrial
ss Jar	Detergent Wash	Leachate	Effluent
stic Jar	Water Rinse	Drum	Process Stream
al	Acid Rinse	Test Well	Holding Pond
A Vial	Solvent Rinse:	Depth:	Drum
ntainer	Acetone	Other:	Waste Pile
ate Core	Hexane		Municipal Treatment
er Cap	Methylene Chloride	Storage Tank >	Influent
on Cap	Other (Specify):	Top	Effluent-Cl
l Cap	ESS Preclean	Middle	Effluent-Non Cl
er	Glassware	Bottom	Sludge
		Truck	Ambient
servation		Drum	Lake
id		Tank	Stream
vent		Other	Pond
emical			Ocean
Ice		Wells	Estuary
Ice		Monitoring	
bient		Production	
er		Drinking	
		Private	

Sample Location Description:

Sodium Hydroxide Tank

Remarks: Analytes:

1 4-oz glass jar for Corrosivity

Samples to:

Bact	Bio	Chem	Other
		X	

Station No.:

Sample Depth (Ft.)/Fac. Loc. Code:

Lab Number: 090121

Type of Sample

Grab	Composite	
	Time	Space
X		

Collection (Ending) Date

Yr	Mo	Day
95	07	23

Ending Time (24 Hr): 1222

Beginning Date

Yr	Mo	Day

Beginning Time (24 Hr):

pH: 13.0

Sample Temp. (°C):

DO (mg/l):

Cond. (uMHOS/CM):

Salinity(‰):

Sample Split

☐ Yes ☑ No

If Yes With Whom?

Receipt ☐ Yes ☑ No

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

Attachment 6

DEC 30 1998

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. John Sweeney, President
Nelson Galvanizing, Inc.
11-02 Broadway
Long Island City, N.Y. 11106

RE: RCRA § 3007 Information Request
Nelson Galvanizing, Inc.
NYD001229350

Dear Mr. Sweeney:

The U.S. Environmental Protection Agency (EPA) is charged with the protection of health and the environment under the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Part 6901 et seq.

Pursuant to the provisions of Section 3007 of RCRA, 42 U.S.C. Section 6927, EPA hereby requires that you provide the information requested in Attachment I to this letter using the instructions and definitions included in Attachment II. This information is further required to evaluate the compliance of Nelson Galvanizing, Inc. Attachment III, the September 24, 1998 Information Request Letter, and Attachment IV, the Consent Agreement Consent Order (CACO) signed into effect on October 26, 1994 are also enclosed.

Please provide the information requested no later than thirty (30) calendar days from receipt of this letter. Requests for additional time must be made within ten (10) calendar days of receipt of this letter, and must be justified. The response must be signed by a responsible official or agent of your company.

You may, if you so desire, assert a business confidentiality claim covering all or part of the information herein requested. The claim may be asserted by placing on (or attaching to) the information at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret", "proprietary", or "company confidential". The claim should set forth the information requested in 40 Code of Federal Regulations (40 C.F.R.) Part 2.204(e)(4). Information covered by such a claim will be disclosed by EPA only to the extent permitted by, and by means of procedures set forth in, 40 C.F.R. Part 2. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you.

This information request is not subject to the requirements of the Paperwork Reduction Act (PRA), as amended, 44 U.S.C. Part 3501 et seq.

The response to the request in the attachment must be addressed to the following:

Philip Clappin, Enforcement Officer
RCRA Compliance Branch
U.S. Environmental Protection
Agency - Region 2
290 Broadway 22nd Floor
New York, New York 10007-1866

Failure to respond in full to this requirement is a violation of RCRA and may result in federal enforcement action pursuant to Section 3008 of RCRA, 42 U.S.C. Section 6928.

If you have any questions about this letter, please call Mr. Philip Clappin, of the RCRA Senior Enforcement Team, at (212) 637-4129.

Sincerely yours,

George Pavlou, Acting Director
Division of Enforcement and Compliance Assistance (DECA)

cc: Salvatore Carlomagno, Chief
Hazardous Waste Compliance Unit
New York State Department of Environmental Conservation

Enclosures

ATTACHMENT I

NELSON GALVANIZING, INC.
11-02 BROADWAY
LONG ISLAND CITY, N.Y., 11106

A RCRA Compliance Evaluation Inspection (CEI) of Nelson Galvanizing, Inc. hazardous waste generation, storage areas, and record keeping, was performed on June 3, 1998 by two EPA authorized representatives. A subsequent sampling visit by members of the RCRA Compliance Branch (RCB) and Monitoring and Assessment Branch (MAB) was conducted on July 23, 1998.

On September 24, 1998, EPA sent a RCRA § 3007 Information Request Letter to you (Attachment III). This letter requested that you submit further information in order to assess your facility's compliance with the hazardous waste rules and regulations as well as the requirements of the CACO signed into effect October 26, 1994 (Attachment IV). Your response to the information request was due to EPA on October 28, 1998, 30 days after you received that letter. To date EPA has not received your response and, as a result, you are and continue to remain in violation of RCRA § 3007 as long as this situation is left unchanged.

In addition to the responses to the questions posed in the September 24, 1998 RCRA § 3007 Information Request Letter that have been, are, and continue to be overdue, EPA requests the following information:

1. A dated copy of "the notice you agreed to place in the deed to the property on which the facility resides, using procedures set forth in 40 C.F.R. § 265.119, indicating that the land has been used to manage hazardous waste and that contamination may remain" (CACO; page 6, paragraph 2).

2. A dated copy of the signed certification indicating that the deed notice has been recorded as specified in 40 C.F.R. § 265.119(b)(1). A copy of this certification should have been sent to the Regional Administrator (RA). EPA has no record of such a document. Please, send a dated copy of this certification document which is required as part of the procedures set forth in 40 C.F.R. § 265.119 which you agreed to follow as part of the CACO (page 6, paragraph 2).

ATTACHMENT II

INSTRUCTIONS AND DEFINITIONS

In responding to this Request for Information, apply the following instructions and definitions:

1. The signatory should be an officer or agent who is authorized to respond on behalf of the company or facility. The signatory must complete and return the attached Certification of Answers to Responses to Request for Information.

2. A complete response must be made to each individual question in this request for information. Identify each answer with the number of the question to which it is addressed.

3. In preparing your response to each question, consult with all present and former employees and agents of the company or facility who you have reason to believe may be familiar with the matter to which the question pertains.

4. In answering each question, identify all contributing sources of information.

5. If you are unable to answer a question in a detailed and complete manner or if you are unable to provide any of the information or documents requested, indicate the reason for your inability to do so. If you have reason to believe that there is an individual who may be able to provide more detail or documentation in response to any question, state that person's name and last known address and phone number and the reasons for your belief.

6. If you cannot provide a precise answer to any question, please approximate and state the reason for your inability to be specific.

7. For each document produced in response to this Request for Information, indicate on the document or in some other reasonable manner, the number of the question to which it applies.

8. If anything is deleted from a document produced in response to this Request for Information, state the reason for and the subject matter of the deletion.

9. If a document is requested but is not available, state the reason for its unavailability. In addition, identify any such document by author, date, subject matter, number of pages, and all recipients and their addresses.

10. The company and/or facility for the purposes of this Request for Information is Nelson Galvanizing, Inc., 11-02 Broadway, Long Island City, N.Y. 11106.

11. A generator of hazardous waste for the purposes of this Request for Information shall be defined as any person, by site, whose act or process produces hazardous waste or whose act first causes a hazardous waste to become subject to regulation.

12. Solid waste shall be defined for the purposes of this Request for Information as that term is defined in Section 1004(27) of RCRA, as amended, 42 U.S.C. Part 6903(27).

13. Hazardous waste shall be defined for the purposes of this Request for Information as that term is defined in Section 1004(5) of RCRA, as amended, 42 U.S.C. Part 6903(5).

14. Manage shall be defined for the purposes of this Request for Information as to market, generate, treat, store, dispose or otherwise handle.

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, that the submitted information is true, accurate and complete, and that all documents submitted herewith are complete and authentic, unless otherwise indicated. I am aware that there are significant penalties for submitting false information.

_____

NAME (print or type)

_____

TITLE (print or type)

_____

SIGNATURE

_____

DATE

Attachment 5

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

IN THE MATTER OF: Nelson Galvanizing, Inc. and Nelson Foundry Company, Inc. 11-02 Broadway Long Island City, New York NYD00[illegible]29350 Proceeding under Section 3008 of the Solid Waste Disposal Act, as amended 42 U.S.C. § 6928	CONSENT AGREEMENT AND CONSENT ORDER Docket No. II RCRA-91-0206

PRELIMINARY STATEMENT

This is a civil administrative proceeding instituted pursuant to Section 3008 of the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act ("RCRA") and the Hazardous and Solid Waste Amendments of 1984, ("HSWA"), 42 U.S.C. § 6901 et seq. ("RCRA" or the "Act").

Complainant in this proceeding, Conrad Simon, Director of the Air & Waste Management Division of the U.S. Region II, issued a

Nelson Foundry Company, Inc. ("Respondent") on September 13, 1991, as a result of inspections conducted on or about December 13, 1990 and February 15, 1991 which revealed that Respondent had violated or was in violation of one or more requirements of Subtitle C of RCRA, the New York State Environmental Conservation Law, and the regulations promulgated thereunder concerning the management of hazardous waste.

The parties have reached an amicable resolution of this matter and have agreed to this Consent Agreement and Consent Order as a resolution of this proceeding without further litigation.

EPA FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Respondent is Nelson Galvanizing, Inc. (according to Respondent's Answer filed on October 16, 1991, there is no such entity as Nelson Foundry Company Inc., which was named in the Complaint). Respondent owns and/or operates a facility known as Nelson Galvanizing located at 11-02 Broadway, Long Island City, New York (the "facility").

2. Respondent is a "person," as that term is defined in Section 1004(15) of RCRA, 42 U.S.C. § 6903(15), 40 C.F.R. § 260.10, and in 6 NYCRR § 370.2(b)(123).

3. Respondent was a "generator" of hazardous wastes, as that term is defined in 40 C.F.R. § 262.10 and in 6 NYCRR § 370.2(b)(74).

4. By notification dated August 31, 1988, Respondent Nelson Galvanizing, Inc. informed EPA that it conducts activities at its facility involving "hazardous waste" as that term is defined in Section 1004(5) of RCRA, 42 U.S.C. § 6903(5), and in 40 C.F.R. § 261.3 and 6 NYCRR § 371.1(d) and was issued the EPA Identification Number NYD001229350.

5. On or about November 29, 1990, and February 15, 1991 inspections of the facility were conducted, pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927, by a duly-designated representative of EPA to determine compliance with specific state and federal regulations for the management of hazardous waste.

6. On or about December 13, 1990, and January 16, 1991 sampling inspections of the facility were conducted, pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927, by a duly-designated representative of EPA to determine compliance with specific state and federal regulations for the management of hazardous waste. Results of samples taken at the sampling inspections indicated that many of the drums at the facility contained D002, D007, and D008 wastes.

7. On or about January 29, 1991 Complainant issued to Respondent a Request for Information under § 3007 of RCRA and § 104(e) of CERCLA.

8. On or about March 22, 1991 Complainant received from Respondent a response to the Request for Information referenced in paragraph 7.

9. On the basis of the inspections and the response to the request for Information, Complainant determined that Respondent violated RCRA and the regulations promulgated thereunder as follows: by failing to label or clearly mark each container of hazardous waste being accumulated on-site with the words "Hazardous Waste"; by failing to provide the date upon which each period of accumulation begins, clearly marked and visible for inspection on each container of hazardous waste stored at the facility; by accumulating hazardous waste on-site for more than 90 days without obtaining a permit or without having interim status; by failing to keep closed all containers of hazardous waste except when it is necessary to add or remove waste; by failing to transfer all hazardous waste in containers that are leaking to containers that are in good condition; by failing to open, handle or store hazardous waste containers in a manner which will avoid rupturing the container or causing it to leak; by failing to maintain aisle space to

allow the unobstructed movement of personnel, fire protection equipment, spill control equipment and decontamination equipment to all areas of facility operations; by failing to inspect areas where hazardous wastes are stored on at least a weekly basis looking for leaks and deterioration caused by corrosion and other factors; by failing to have facility personnel complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures compliance with the requirements of 40 C.F.R. Part 265 and to maintain the documents and records at the facility for each position at the facility related to hazardous waste management including the job title, the name of each employee filling each job, a written job description, a written description of the type and amount of training that will be given to each person, and records that document training or job experience for each position;

by failing to operate the facility so as to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of hazardous wastes or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment; by failing to maintain an internal communication or alarm system capable of providing immediate emergency instruction to facility personnel; by failing to test and maintain fire protection equipment and other equipment to assure their proper

operation in time of emergency; by failing to have a contingency plan for its facility designed to minimize hazards to human health or the environment from fire, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil or surface water.

10. Respondent submitted several consecutive recent years of corporate tax returns which supported its contention that it was unable to pay the penalty set forth in the Complaint.

CONSENT AGREEMENT

Based upon the foregoing, and pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928 and the "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits" 40 C.F.R. § 22.18, it is hereby agreed as follows:

1. For the purpose of this proceeding, Respondent admits the jurisdictional allegations of the Complaint. Respondent neither admits nor denies specific factual allegations contained in the Complaint.

2. Respondent shall place a notice in the deed to the property on which the facility resides, using the procedures set forth in 40 C.F.R. § 265.119, indicating that the land

has been used to manage hazardous wastes and that contamination may remain.

3. Regarding the alleged contamination at the facility, both Complainant and Respondent reserve their rights as to their responses to dealing with it at some future date.

4. In July of 1994, Respondent supplied Complainant with a written inventory of chemicals currently stored on the site which included 30 gallons of sulphuric acid (raw), 7000 gallons of sulphuric acid and water, 2000 gallons of caustic soda and water, and 400 gallons of zinc ammonia chloride and water. With regard to all of the materials except the raw sulphuric acid, the 9400 gallons of waste materials must be stored in compliance with all hazardous waste storage requirements (including appropriate containers, labelling etc.) if these materials exhibit any characteristic identified in 40 C.F.R. Part 261 (either through generator knowledge or testing). One year after the effective date of this agreement, the materials mentioned above must be either removed from the facility or Respondent must apply for a permit to manage such materials.

5. Respondent shall hereafter comply with all applicable RCRA provisions and the regulations promulgated thereunder.

6. Respondent shall pay, by cashier's or certified check, a civil penalty for the violations cited above, in

the amount of five hundred ($500.00) dollars, payable to the "Treasurer of the United States of America", and mailed to EPA Region II (Regional Hearing Clerk), P.O. Box 360188M, Pittsburgh, Pennsylvania 15251. The check shall be identified with a notation of the name and docket number of this case as follows: In the Matter of Nelson Galvanizing Inc. and Nelson Foundry Company Inc., Docket No. II RCRA-91-0206. Payment must be received at the above address on or before 45 calendar days after the effective date hereof, set out below in paragraph 12 (the date by which payment must be received shall hereafter be referred to as the "due date"). Respondent shall also send a copies of this payment to Stuart N. Keith, Assistant Regional Counsel, and George Meyer, Chief, Hazardous Waste Compliance Branch at Region II. Complainant agrees to endeavor to promptly mail to Respondent a copy of the fully executed Consent Agreement and Consent Order.

a. Failure to pay the penalty in full according to the above provisions will result in the referral of this matter to the United States Department of Justice for collection.

b. Further, if payment is not received on or before the due date, interest will be assessed, at the annual rate established by the Secretary of the Treasury pursuant to 31 U.S.C. § 3717, on the overdue amount from the due date through the date of payment.

In addition, a late payment handling charge of $15.00 will be assessed for each thirty (30) day period following the due date in which the balance remains unpaid.

7. This Consent Agreement is being voluntarily and knowingly entered into by the parties in full and final settlement of all civil liabilities that might have attached as a result of the specific allegations contained in Counts 1 through 13 of the Complaint. The parties reserve the rights set forth in paragraph 3 above. Respondent has read the Consent Agreement, understands its terms, finds it to be reasonable and consents to its issuance and its terms. Respondent consents to the issuance of the accompanying Consent Order.

8. Respondent explicitly and knowingly consents to the assessment of the civil penalty as set forth in this Consent Agreement and agrees to pay the penalty in accordance with the terms of this Consent Agreement.

9. Respondent explicitly and knowingly waives its right to request or to seek any Hearing on the Complaint or on any of the allegations therein asserted, on this Consent Agreement or on any of the matters herein stated, or on the accompanying Consent Order.

10. Respondent waives any right it may have pursuant to 40 C.F.R. § 22.08 to be present during discussions with or to be served with and reply to any memorandum or

communication addressed to the Regional Administrator or the Deputy Regional Administrator where the purpose of such discussion, memorandum, or communication is to recommend that such official accept this Consent Agreement and issue the attached Consent Order.

11. Each undersigned signatory to this Consent Agreement certifies that he or she is duly and fully authorized to enter into and ratify this Consent Agreement and all the terms and conditions set forth in this Consent Agreement.

12. The effective date of this Consent Agreement shall be the date Regional Administrator signs the Consent Order accompanying this Consent Agreement.

RESPONDENT:

BY: John T Sweeney

NELSON GALVANIZING INC.

NAME: John T. SWEENEY
(Please Print)

TITLE: PRES

DATE: 9/22/94

COMPLAINANT:

Helen S Berger for CJ

Conrad Simon, Director
Air and Waste Management Division
U.S. Environmental Protection Agency
Region II

DATE: 10/21/94

CONSENT ORDER

The Regional Administrator of EPA, Region II, concurs in the foregoing Consent Agreement. The Consent Agreement entered into by the parties is hereby approved and issued, as an Order, effective immediately as of the date herein indicated below.

Jeanne M. Fox
Regional Administrator
U.S. Environmental Protection Agency Region II
26 Federal Plaza
New York, New York 10278

DATE: 10/26/94

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

Attachment 4

DEC 2 8 1998

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

NOTICE OF VIOLATION

Mr. John Sweeney, President
Nelson Galvanizing, Inc.
11-02 Broadway
Long Island City, New York 11106

Re: Notice of Violation
Nelson Galvanizing, Inc.
EPA I.D. No. NYD001229350

Dear Mr. Sweeney:

This Notice of Violation ("NOV") is issued pursuant to Section 3008 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act ("RCRA") of 1976 and the Hazardous and Solid Waste Amendments ("HSWA") of 1984 42 U.S.C. § § 6901, 6928.

Section 3006 of the Act, 42 U.S.C. § 6926 provides that the Administrator of the U.S. Environmental Protection Agency ("EPA") may, if certain criteria are met, authorize a State to operate a hazardous waste program in lieu of the Federal program. The State of New York has received final authorization to administer its hazardous waste program in lieu of most of the Federal program. Section 3008 of the Act, 42 U.S.C. § 6928 authorizes EPA to enforce the provisions of the authorized State program.

Pursuant to RCRA, as amended by HSWA, the EPA promulgated rules, regulations, and standards governing the handling and management of hazardous waste as set forth in 40 C.F.R. Parts 260-272.

This second NOV serves to inform you of EPA's belief that: (1) you continue to be in violation of § 3007 of RCRA; and (2) you are in violation of the consent agreement/consent order (CA/CO) signed in October of 1994. This NOV also (1) presents you with analytical data from EPA's sampling that occurred on July 23, 1998 and EPA's determinations based upon those data; and (2) underscores the need for you to overpack and remove, as soon as possible, any hazardous waste being stored on-site.

For the purposes of this NOV and other correspondence between EPA and Nelson Galvanizing, Inc. the following terms are synonymous and are used interchangeably: (1) "sulphuric acid" is equivalent to "sulfuric acid" and vice versa; and (2) "caustic soda" is equivalent to "sodium hydroxide" and vice versa.

This second NOV formally serves to notify you, once again, that you remain in violation of RCRA § 3007 by failing to respond to the RCRA § 3007 Information Request letter sent via certified mail, dated September 24, 1998 (enclosed Attachment 1), which was delivered on September 28, 1998, to Mr. John Sweeney, President of Nelson Galvanizing, Inc. You were given thirty (30) days from the date of receipt of the RCRA § 3007 Information Request Letter to respond to the questions in that letter. You failed to do so and you did not seek an extension pursuant to the requisites outlined in that letter. On November 6, 1998 an earlier Notice of Violation (Attachment 2) was issued to you for failing to respond or not seeking an extension in time pursuant to the requirements set forth in the original RCRA § 3007 Information Request Letter, dated September 24, 1998.

You must take immediate action to remedy this violation. You must immediately submit a response with all the requested information specific to the operations of Nelson Galvanizing, Inc. No extension in the prior due date will be granted. In fact, the response is past due. Continued failure to comply with the NOVs and § 3007 Information Request increases the potential of Nelson Galvanizing, Inc. and/or Mr. John Sweeney to be subject to the enforcement provisions of Section 3008 of RCRA, 42 U.S.C. § 6928. Your compliance with the requirements of this NOV in no way waives or compromises EPA's right to take further enforcement against you for the above cited violation and other violations of the RCRA Statute and/or applicable regulations.

This letter also serves to inform you that the analyses of the waste and/or chemical samples that EPA took on July 23, 1998 have been received and reviewed. An enclosed copy (Attachment 3) presents you with the analytical results from the sampling of six (6) drums containing iron sulfate and the three (3) chemical tanks that contain (1) sulphuric acid, (2) sodium hydroxide, and (3) zinc ammonia chloride.

In addition, you have stated that the iron sulfate being stored on-site is a waste. EPA has determined this material to be a solid waste. The iron sulfate was deposited in the base of the sulphuric acid tank as a result of your company's galvanizing process. It was removed when you sold the liquid contents of and the polypropylene tank. Sampling and analytical data from the iron sulfate that is being stored in drums indicate that some of this material exceeds the toxicity characteristic for lead and is therefore "hazardous waste". The iron sulfate must be removed and disposed of appropriately and in accordance with the regulations immediately.

EPA has also determined that the liquid and sludge material in the three (3) tanks currently on-site are solid wastes. On July 23, 1998, EPA sampled the liquids and sludges from the sulphuric acid tank, the sodium hydroxide tank (no sludge), and the zinc ammonia chloride tank. Analytical data indicate that the liquid in the sulphuric acid tank exceeds the toxicity characteristic for chromium and approaches the characteristic level for corrosivity. Analytical data from the sodium hydroxide tank indicates that the liquid being stored in that tank exceeds the characteristic level for corrosivity. As a result, these materials are determined to be hazardous wastes and must be handled, removed and disposed of appropriately in accordance with the regulations immediately.

Furthermore, in accordance with the consent agreement and consent order (CA/CO) (enclosed as Attachment 4; especially paragraph 4; page 7) issued on October 26, 1994, you had to "(within) one year of the effective date of this agreement (CA/CO), either remove (properly) from the facility or apply for a permit to (appropriately) manage (all) such materials (including the iron sulfate, sulphuric acid, sodium hydroxide, and zinc ammonia chloride)". You accomplished neither removal of these materials nor received a permit to store these materials. Therefore, in accordance with paragraphs 4 and 5, page 7 of the CA/CO, you are also determined to be in violation of the CA/CO.

Please be advised that your facility is under the continuing obligation to comply with all the applicable state and federal regulations regarding the management of hazardous waste, as well as the CA/CO. Subsequently, if your facility should be found in violation of any of these regulations and/or CA/CO now and in the future, you may be subject to escalated enforcement actions, including, but not limited to, monetary penalties.

If you have any questions regarding this matter, please direct them to Mr. Philip Clappin at (212) 637-4129.

Sincerely yours,

George Pavlou, Acting Director
Division of Enforcement and Compliance Assistance

Enclosures

cc: Salvatore Carlomagno, Supervisor (w. Enclosures)
Hazardous Waste Compliance Unit
New York State Department of Environmental Conservation

Attachment 2

NOV - 6 1998

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

NOTICE OF VIOLATION

Mr. John Sweeney, President
Nelson Galvanizing, Inc.
11-02 Broadway
Long Island City, New York 11106

Re: Notice of Violation
Nelson Galvanizing, Inc.
EPA I.D. No. NYD001229350

Dear Mr. Sweeney:

This Notice of Violation ("NOV") is issued pursuant to Section 3008 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act ("RCRA") of 1976 and the Hazardous and Solid Waste Amendments ("HSWA") of 1984 42 U.S.C. § § 6901, 6928.

Section 3006(b) of the Act, 42 U.S.C. § 6926 provides that the Administrator of the U.S. Environmental Protection Agency ("EPA") may, if certain criteria are met, authorize a State to operate a hazardous waste program in lieu of the Federal program. The State of New York has received final authorization to administer its hazardous waste program in lieu of the Federal program. Section 3008(a) of the Act, 42 U.S.C. § 6928 authorizes EPA to enforce the provisions of the authorized State program.

Pursuant to RCRA, as amended by HSWA, the EPA promulgated rules, regulations, and standards governing the handling and management of hazardous waste as set forth in 40 C.F.R. Parts 260-272. For the purposes of this NOV, the hazardous waste regulations governing the generation of hazardous waste were promulgated in 1980 and amended by HSWA in 1984. This letter serves formally to notify you that you are in violation of RCRA § 3007. You have failed to respond to the RCRA § 3007 Information Request letter sent via certified mail, dated September 24, 1998 (enclosed), and which was delivered on September 28, 1998, to Mr. John Sweeney, President of Nelson Galvanizing, Inc. You were given thirty (30) days from the date of receipt of the RCRA § 3007 Information Request Letter to respond to the questions posed in that letter. You have failed to do so and you have not sought an extension pursuant to the requisites outlined in that letter.

If you have not already done so, you must take immediate action to remedy the violation cited above. Please submit, a response to the requested information specific to the current and/or former operations of Nelson Galvanizing, Inc. Failure to comply and submit the documentation requested in this Notice of Violation subjects you and/or your company to the enforcement provisions of Section 3008 of RCRA, 42 U.S.C. § 6928. Your compliance with the requirements of this NOV in no way waives or compromises EPA's right to take further enforcement against your company for the above cited violation.

Please be advised that your facility is under the continuing obligation to comply with all the applicable state and federal regulations regarding the management of hazardous waste. Subsequently, if your facility should be found in violation of any of these regulations in the future, you may be subject to escalated enforcement actions, including, but not limited to, monetary penalties.

If you have any questions regarding this matter, please direct them to Mr. Philip Clappin at (212) 637-4129.

Sincerely yours,

Walter E. Mugdan, Acting Director
Division of Enforcement and Compliance Assistance

Enclosure

cc: Salvatore Carlomagno, Supervisor
Hazardous Waste Compliance Unit
New York State Department of Environmental Conservation

bcc: Phil Clappin, (2DECA-RCB)
Phil Flax, (2DECA-RCB)
William K. Sawyer, ORC
RCRA Files, (2OPM-ISS)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

Attachment 2

SEP 24 1998

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. John Sweeney, President
Nelson Galvanizing, Inc.
11-02 Broadway
Long Island City, N.Y. 11106

RE: RCRA § 3007 Information Request
Nelson Galvanizing, Inc.
NYD001229350

Dear Mr. Sweeney:

The U.S. Environmental Protection Agency (EPA) is charged with the protection of health and the environment under the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Part 6901 et seq.

Pursuant to the provisions of Section 3007 of RCRA, 42 U.S.C. Section 6927, EPA hereby requires that you provide the information requested in Attachment I to this letter using the instructions and definitions included in Attachment II. This information is required to evaluate the compliance of Nelson Galvanizing, Inc.

Please provide the information requested no later than thirty (30) calendar days from receipt of this letter. Requests for additional time must be made within ten (10) calendar days of receipt of this letter, and must be justified. The response must be signed by a responsible official or agent of your company.

The response to the request in the attachment must be addressed to the following:

Philip Clappin, Enforcement Officer
RCRA Compliance Branch
U.S. Environmental Protection
Agency - Region 2
290 Broadway 22nd Floor
New York, New York 10007-1866

You may, if you so desire, assert a business confidentiality claim covering all or part of the information herein requested. The claim may be asserted by placing on (or attaching to) the information at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret", "proprietary", or "company confidential". The claim should set forth the information requested in 40 Code of Federal Regulations (40 C.F.R.) Part 2.204(e)(4). Information covered by such a claim will be disclosed by EPA only to the extent permitted by, and by means of procedures set forth in, 40 C.F.R. Part 2. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you.

This information request is not subject to the requirements of the Paperwork Reduction Act (PRA), as amended, 44 U.S.C. Part 3501 et seq.

Failure to respond in full to this requirement is a violation of RCRA and may result in federal enforcement action pursuant to Section 3008 of RCRA, 42 U.S.C. Section 6928.

If you have any questions about this letter, please call Mr. Philip Clappin, of the Senior Enforcement Team, at (212) 637-4129. All inquiries from attorneys must be directed to Mr. William K. Sawyer, Esq., of the Office of Regional Counsel, at (212) 637-3196.

Sincerely yours,

Kenneth S. Stein

Walter Mugdan, Esq., Acting Director
Division of Enforcement and Compliance Assistance (DECA)

cc: Salvatore Carlomagno, Supervisor
Hazardous Waste Compliance Unit
New York State Department of Environmental
Conservation

Attachments

ATTACHMENT I

NELSON GALVANIZING, INC.
11-02 BROADWAY
LONG ISLAND CITY, N.Y., 11106

A RCRA Compliance Evaluation Inspection (CEI) of Nelson Galvanizing, Inc. hazardous waste generation, storage areas, and record keeping, was performed on June 3, 1998 by two EPA authorized representatives. A subsequent sampling visit by RCRA Compliance Branch (RCB) and Monitoring and Assessment Branch (MAB) was conducted on July 23, 1998. As a follow up of the inspection and sampling visit, the following information is requested:

1. At the time of the inspection and sampling visit, EPA representatives observed, present at your facility, approximately sixty (60) fifty-five gallon drums of what you indicated was iron sulfate. You indicated that this iron sulfate was a waste. Please send to EPA information on the process that generated the iron sulfate waste. Please indicate and document how long you have stored the iron sulfate at your facility.

2. At the time of the inspection and sampling visit, EPA representatives observed, present at your facility, three (3) tanks labeled and/or indicated by you as containing the following materials: sulfuric acid, sodium hydroxide, and zinc ammonium chloride. Please explain the process in which these chemicals were used. Please explain how these chemicals are presently used. Please explain and document the last time you used these chemicals. Please explain and document the last time you used these chemicals as they were intended to be used, as part of a commercial galvanizing process.

3. Have you made hazardous waste determinations on the iron sulfate wastes? Have you made hazardous waste determinations for the other chemicals currently being stored at your facility. Please submit any and all information, including but not limited to sampling procedures, sampling dates, dates of analyses, that were used to make those determinations. Please specify when you made the determinations.

4. Why are you storing or continuing to store iron sulfate wastes and the chemicals in the sodium hydroxide, sulfuric acid, and zinc ammonium chloride tanks? How long have you stored the iron sulfate wastes and the other chemicals that are currently present in drums and tanks at your facility?

5. Please specify the date that these materials, including the sulfuric acid, sodium hydroxide, and zinc ammonium chloride were last used. Please indicate how they were used and for what purpose they were used. Were they used commercially? When was the last time the chemicals in the tanks were used commercially? Do you have any intention of commercially using the chemicals stored in tanks at your facility?

6. It is EPA's understanding that Nelson Galvanizing has not recently been commercially active. Please specify the last time commercial activity and/or any galvanizing took place at the facility. Please document the activity and date.

7. What is Nelson Galvanizing's current economic status? Does your corporation, Nelson Galvanizing, remain intact? Do you intend to reopen the facility at any time? If so when do you plan to reopen? What type of business is currently operating at the Nelson Galvanizing facility?

8. At the time of the June 3, 1998 inspection you indicated that the sulfuric acid had been drained from an on-site above ground tank and sold, along with the tank, to your competitor. Please document and provide the date of this purchase. Was iron sulfate generated at this time? If yes, how much, how was it managed, and where was it managed? Please be specific and detailed and document where possible.

ATTACHMENT II

INSTRUCTIONS AND DEFINITIONS

In responding to this Request for Information, apply the following instructions and definitions:

1. The signatory should be an officer or agent who is authorized to respond on behalf of the company or facility. The signatory must complete and return the attached Certification of Answers to Responses to Request for Information.

2. A complete response must be made to each individual question in this request for information. Identify each answer with the number of the question to which it is addressed.

3. In preparing your response to each question, consult with all present and former employees and agents of the company or facility who you have reason to believe may be familiar with the matter to which the question pertains.

4. In answering each question, identify all contributing sources of information.

5. If you are unable to answer a question in a detailed and complete manner or if you are unable to provide any of the information or documents requested, indicate the reason for your inability to do so. If you have reason to believe that there is an individual who may be able to provide more detail or documentation in response to any question, state that person's name and last known address and phone number and the reasons for your belief.

6. If you cannot provide a precise answer to any question, please approximate and state the reason for your inability to be specific.

7. For each document produced in response to this Request for Information, indicate on the document or in some other reasonable manner, the number of the question to which it applies.

8. If anything is deleted from a document produced in response to this Request for Information, state the reason for and the subject matter of the deletion.

9. If a document is requested but is not available, state the reason for its unavailability. In addition, identify any such document by author, date, subject matter, number of pages, and all recipients and their addresses.

10. The company and/or facility for the purposes of this Request for Information is Nelson Galvanizing, Inc., 11-02 Broadway N.Y. 11106.

11. A generator of hazardous waste for the purposes of this Request for Information shall be defined as any person, by site, whose act or process produces hazardous waste or whose act first causes a hazardous waste to become subject to regulation.

12. Solid waste shall be defined for the purposes of this Request for Information as that term is defined in Section 1004(27) of RCRA, as amended, 42 U.S.C. Part 6903(27).

13. Hazardous waste shall be defined for the purposes of this Request for Information as that term is defined in Section 1004(5) of RCRA, as amended, 42 U.S.C. Part 6903(5).

14. Manage shall be defined for the purposes of this Request for Information as to market, generate, treat, store, dispose or otherwise handle.

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document
(response to EPA Request for Information) and all documents submitted herewith, that the submitted information is true, accurate and complete, and that all documents submitted herewith are complete and authentic, unless otherwise indicated. I am
aware that there are significant penalties for submitting false information.

_____
NAME (print or type)

_____
TITLE (print or type)

_____
SIGNATURE

_____
DATE

Attachment 7

DATA FOR NELSON GALVANIZING

ANALYSIS DATE: 5/25/93

DEBT EQUITY RATIOS

1990	N/A	THE FIRM HAS ZERO OR NEGATIVE EQUITY INDICATING INSOLVENCY
1989	N/A	THE FIRM HAS ZERO OR NEGATIVE TY INDICATING INSOLVENCY
1988	15.02	A RATIO GREATER THAN 1.5 INDICATES THE FIRM MAY HAVE DIFFICULTY BORROWING

PLEASE ENTER A CARRIAGE RETURN TO CONTINUE

POSITION YOUR PRINTER TO THE START OF A NEW PAGE. PLEASE ENTER A CARRIAGE RETURN TO CONTINUE

DATA FOR NELSON GALVANIZING

ANALYSIS DATE: 5/25/93

DEBT EQUITY RATIOS

1990	N/A	THE FIRM HAS ZERO OR NEGATIVE EQUITY INDICATING INSOLVENCY
1989	N/A	THE FIRM HAS ZERO OR NEGATIVE TY INDICATING INSOLVENCY
1988	15.02	A RATIO GREATER THAN 1.5 INDICATES THE FIRM MAY HAVE DIFFICULTY BORROWING

PLEASE ENTER A CARRIAGE RETURN TO CONTINUE

POSITION YOUR PRINTER TO THE START OF A NEW PAGE. PLEASE ENTER A CARRIAGE RETURN TO CONTINUE

DATA FOR NELSON GALVANIZING

ANALYSIS DATE: 5/25/93

DEBT EQUITY RATIOS

1990	N/A	THE FIRM HAS ZERO OR NEGATIVE EQUITY INDICATING INSOLVENCY
1989	N/A	THE FIRM HAS ZERO OR NEGATIVE TY

INDICATING INSOLVENCY

1988 15.02 A RATIO GREATER THAN 1.5 INDICATES THE FIRM MAY HAVE DIFFICULTY BORROWING

PLEASE ENTER A CARRIAGE RETURN TO CONTINUE

*
*

POSITION YOUR PRINTER TO THE START OF A NEW PAGE. PLEASE ENTER A CARRIAGE RETURN TO CONTINUE

DATA FOR NELSON GALVANIZING

ANALYSIS DATE: 5/25/93

DEBT EQUITY RATIOS

1990 N/A THE FIRM HAS ZERO OR NEGATIVE EQUITY INDICATING INSOLVENCY

1989 N/A THE FIRM HAS ZERO OR NEGATIVE TY INDICATING INSOLVENCY

1988 15.02 A RATIO GREATER THAN 1.5 INDICATES THE FIRM MAY HAVE DIFFICULTY BORROWING

PLEASE ENTER A CARRIAGE RETURN TO CONTINUE

CURRENT RATIOS

***
**

1990 1.49 A RATIO LESS THAN 2.0 MAY INDICATE LIQUIDITY PROBLEMS

1989 1.25 A RATIO LESS THAN 2.0 MAY INDICATE LIQUIDITY PROBLEMS

1988 2.30 A RATIO GREATER THAN OR EQUAL TO 2.0 INDICATES HEALTHY LIQUIDITY

PLEASE ENTER A CARRIAGE RETURN TO CONTINUE

BEAVER:S RATIOS

1990 -0.35 A RATIO BELOW 0.10 INDICATES THAT THE FIRM MAY HAVE SOLVENCY PROBLEMS

1989 -0.28 A RATIO BELOW 0.10 INDICATES THAT THE FIRM MAY HAVE SOLVENCY PROBLEMS

1988 -0.03 A RATIO BELOW 0.10 INDICATES THAT THE FIRM MAY HAVE SOLVENCY PROBLEMS

```
 ***
**********

   ABEL NOTES THAT THE FIRM:S MOST RECENT BEAVER:S
   RATIO IS SUBSTANTIALLY POORER THAN ITS HISTORIC AVERAGE.

   ABEL NOTES THAT THE FIRM:S MOST RECENT TIMES INTEREST
   EARNED IS SUBSTANTIALLY POORER THAN ITS HISTORIC AVERAGE.

   DO YOU WISH TO CONTINUE WITH THE PHASE TWO ANALYSIS
   (Y OR N)?
y

   PHASE TWO ANALYSIS

   PLEASE ENTER WHAT YEARS DOLLARS YOU WANT ENT
   VALUE CALCULATIONS EXPRESSED IN.
1993

   DO YOU WISH TO ANALYZE A CIVIL PENALTY (P) ,A NEW
   INVESTMENT (I), OR BOTH (B) ?
p

   PLEASE INPUT THE INITIAL PROPOSED SETTLEMENT PENALTY
   AMOUNT (E.G., 5000); IF THERE IS NO TARGETED PENALTY,
 ***
**********
   NO PENALTY WITH THE REQUIRED MINIMUM CERTAINTY OF 80.0 %.

   WOULD YOU LIKE TO SEE MORE DETAILED OUTPUT (Y OR N)?
n

   DO YOU WISH TO PERFORM THE PHASE TWO ANALYSIS FOR
   THIS CASE AGAIN (Y OR N)?
y

   PHASE TWO ANALYSIS

   PLEASE ENTER WHAT YEARS DOLLARS YOU WANT PRESENT
   VALUE CALCULATIONS EXPRESSED IN.
1993

   DO YOU WISH TO ANALYZE A CIVIL PENALTY (P) ,A NEW
   INVESTMENT (I), OR BOTH (B) ?
p

   PLEASE INPUT THE INITIAL PROPOSED SETTLEMENT PENALTY
   AMOUNT (E.G., 5000); IF THERE IS NO TARGETED PENALTY,
   ENTER 0.
1200000

*******
 1200000

   PLEASE ENTER WHAT YEAR DOLLARS THIS IS EXPRESSED IN
   (E.G., 1984)
1990

   THE FOLLOWING STANDARD VALUES ARE USED IN THIS SECTION OF
   ABEL:
```

1. REINVESTMENT RATE = 0.00
2. NOMINAL DISCOUNT RATE =17.50%
3. INFLATION RATE = 3.44%
4. MARGINAL INCOME TAX RATE =38.50%

DO YOU WISH TO HAVE THESE ITEMS EXPLAINEDOR N)?
n

DO YOU WISH TO CHANGE ANY OF THESE INPUTS (Y OR N)?
n

ABEL IS READY TO PROVIDE OUTPUT. YOU HAVE THE CHOICE
OF THREE OUTPUT OPTIONS:

1. PRINT ONLY THE POSSIBILITY OF THE PRESENT VALUE
***
**
OF THE FIRM:S FIVE YEAR PROJECTED CASH FLOW EXCEEDING
EITHER AN INITIAL PROPOSED SETTLEMENT PENALTY OR A REQUIRED
INVESTMENT.

2. PRINT A TABLE SHOWING THE NET AVAILABLE CASH FLOW
WITH AN ANALYSIS OF THE TABLE.

3. PRINT A DETAILED TABLE SHOWING THE COMPONENTS OF THE
FIRM:S CASH FLOWS. THIS OPTION MAY BE HELPFUL TO FINANCIAL
ANALYSTS BUT IS NOT RECOMMENDED FOR MOST USERS.
PLEASE ENTER YOUR CHOICE (1,2 OR 3).
1

THERE IS A 0.0 % CHANCE THAT THE FIRM
CAN FINANCE THE PROPOSED SETTLEMENT PENALTY OF
$ 1328147.00 BASED ON THE STRENGTH OF INTERNALLY
GENERATED CASH FLOWS FOR THE NEXT FIVE YEARS.

FOR PROBABILITIES LESS THAN 80%, REFER TO YOUR MEDIA
SPECIFIC PENALTY POLICY. IN THIS CASE, THE FIRM CAN AFFORD
NO PENALTY WITH THE REQUIRED MINIMUM CERTAINTY OF 80.0 %.

WOULD YOU LIKE TO SEE MORE DETAILED OUTPUT (Y OR N)?
***
****
2. PRINT A TABLE SHOWING THE NET AVAILABLE CASH FLOW
WITH AN ANALYSIS OF THE TABLE.

3. PRINT A DETAILED TABLE SHOWING THE COMPONENTS OF THE
FIRM:S CASH FLOWS. THIS OPTION MAY BE HELPFUL TO FINANCIAL
ANALYSTS BUT IS NOT RECOMMENDED FOR MOST USERS.
PLEASE ENTER YOUR CHOICE (1,2 OR 3).
1

THERE IS A 5.3 % CHANCE THAT THE FIRM
CAN FINANCE THE PROPOSED SETTLEMENT PENALTY OF
$ 10699.82 BASED ON THE STRENGTH OF INTERNALLY
GENERATED CASH FLOWS FOR THE NEXT FIVE YEARS.

FOR PROBABILITIES LESS THAN 80%, REFER TO YOUR MEDIA
SPECIFIC PENALTY POLICY. IN THIS CASE, THE FIRM CAN AFFORD
NO PENALTY WITH THE REQUIRED MINIMUM CERTAINTY OF 80.0 %.

WOULD YOU LIKE TO SEE MORE DETAILED OUTPUT (Y OR N)?

****
FIRM:S CASH FLOWS. THIS OPTION MAY BE HELPFUL TO FINANCIAL
ANALYSTS BUT IS NOT RECOMMENDED FOR MOST USERS.
PLEASE ENTER YOUR CHOICE (1,2 OR 3).
1

THERE IS A 5.4 % CHANCE THAT THE FIRM
CAN FINANCE THE PROPOSED SETTLEMENT PENALTY OF
$ 5349.91 BASED ON THE STRENGTH OF INTERNALLY
GENERATED CASH FLOWS FOR THE NEXT FIVE YEARS.

FOR PROBABILITIES LESS THAN 80%, REFER TO YOUR MEDIA
SPECIFIC PENALTY POLICY. IN THIS CASE, THE FIRM CAN AFFORD
NO PENALTY WITH THE REQUIRED MINIMUM CERTAINTY OF 80.0 %.

WOULD YOU LIKE TO SEE MORE DETAILED OUTPUT (Y OR N)?

****
*
1

THERE IS A 5.4 % CHANCE THAT THE FIRM
CAN FINANCE THE PROPOSED SETTLEMENT PENALTY OF
$ 5000.00 BASED ON THE STRENGTH OF INTERNALLY
GENERATED CASH FLOWS FOR THE NEXT FIVE YEARS.

FOR PROBABILITIES LESS THAN 80%, REFER TO YOUR MEDIA
SPECIFIC PENALTY POLICY. IN THIS CASE, THE FIRM CAN AFFORD
NO PENALTY WITH THE REQUIRED MINIMUM CERTAINTY OF 80.0 %.

WOULD YOU LIKE TO SEE MORE DETAILED OUTPUT (Y OR N)?

n

DO YOU WISH TO CHANGE ANY OF THESE INPUTS (Y OR N)?
n

ABEL IS READY TO PROVIDE OUTPUT. YOU HAVE THE CHOICE
OF THREE OUTPUT OPTIONS:

1. PRINT ONLY THE POSSIBILITY OF THE PRESENT VALUE
   OF THE FIRM:S FIVE YEAR PROJECTED CASH FLOW EXCEEDING
   EITHER AN INITIAL PROPOSED SETTLEMENT PENALTY OR A REQUIRED
   INVESTMENT.

2. PRINT A TABLE SHOWING THE NET AVAILABASH FLOW
   WITH AN ANALYSIS OF THE TABLE.

3. PRINT A DETAILED TABLE SHOWING THE COMPONENTS OF THE
   FIRM:S CASH FLOWS. THIS OPTION MAY BE HELPFUL TO FINANCIAL
   ANALYSTS BUT IS NOT RECOMMENDED FOR MOST USERS.

PLEASE ENTER YOUR CHOICE (1,2 OR 3).
1

THERE IS A 5.5 % CHANCE THAT THE FIRM
***

CAN FINANCE THE PROPOSED SETTLEMENT PENALTY OF
$ 1000.00 BASED ON THE STRENGTH OF INTERNALLY
GENERATED CASH FLOWS FOR THE NEXT FIVE YEARS.

FOR PROBABILITIES LESS THAN 80%, REFER TO YOUR MEDIA
SPECIFIC PENALTY POLICY. IN THIS CASE, THE FIRM CAN AFFORD
NO PENALTY WITH THE REQUIRED MINIMUM CERTAINTY OF 80.0 %.

WOULD YOU LIKE TO SEE MORE DETAILED OUTPUT (Y OR N)?

1

THERE IS A 5.3 % CHANCE THAT THE FIRM
CAN FINANCE THE PROPOSED SETTLEMENT PENALTY OF
$ 10000.00 BASED ON THE STRENGTH OF INTERNALLY
GENERATED CASH FLOWS FOR THE NEXT FIVE YEARS.

FOR PROBABILITIES LESS THAN 80%, REFER TO YOUR MEDIA
SPECIFIC PENALTY POLICY. IN THIS CASE, THE FIRM CAN AFFORD
NO PENALTY WITH THE REQUIRED MINIMUM CERTAINTY OF 80.0 %.

WOULD YOU LIKE TO SEE MORE DETAILED OUTPUT (Y OR N)?

Form **1120**
Department of the Treasury
Internal Revenue Service

U.S. Corporation Income Tax Return

For calendar year 1990 or tax year beginning 11/1, 1990, ending 10/31, 19 91.
▶ Instructions are separate. See page 1 for Paperwork Reduction Act Notice.

OMB No. 1545-0123

1990

Check if a—
A Consolidated return ☐
B Personal holding co. ☐
C Personal service corp. (as defined in Temp. Regs. sec. 1.441-4T—see Instructions) ☐

Use IRS label. Otherwise, please print or type.

Name: NELSON GALVANIZING INC

Number, street, and room or suite no. (If a P.O. box, see page 2 of Instructions.): 11-02 BROADWAY

City or town, state, and ZIP code: LONG ISLAND CITY, NY 11106

D Employer identification number: 11-1572517

E Date incorporated: 11/1/47

F Total assets (see Specific Instructions): $ 369722

G Check applicable boxes: (1) ☐ Initial return (2) ☐ Final return (3) ☐ Change in address

Income	1a	Gross receipts or sales	b Less returns and allowances	c Bal ▶ 1c: 934386
	2	Cost of goods sold (Schedule A, line 7)		2: 807093
	3	Gross profit (line 1c less line 2)		3: 127293
	4	Dividends (Schedule C, line 19)		4:
	5	Interest		5:
	6	Gross rents		6:
	7	Gross royalties		7:
	8	Capital gain net income (attach Schedule D (Form 1120))		8:
	9	Net gain or (loss) from Form 4797, Part II, line 18 (attach Form 4797)		9:
	10	Other income (see Instructions—attach schedule)		10:
	11	**Total income**—Add lines 3 through 10 ▶		11: 127293
Deductions (See Instructions for limitations on deductions.)	12	Compensation of officers (Schedule E, line 4)		12: 69680
	13a	Salaries and wages	b Less jobs credit	c Balance ▶ 13c:
	14	Repairs		14:
	15	Bad debts		15:
	16	Rents		16:
	17	Taxes		17: 40353
	18	Interest		18: 21200
	19	Contributions (see Instructions for 10% limitation)		19:
	20	Depreciation (attach Form 4562)	20: 3263	
	21	Less depreciation claimed on Schedule A and elsewhere on return	21a:	21b: 3263
	22	Depletion		22:
	23	Advertising		23:
	24	Pension, profit-sharing, etc., plans		24:
	25	Employee benefit programs		25: 19246
	26	Other deductions (attach schedule)		26: 241328
	27	**Total deductions**—Add lines 12 through 26 ▶		27: 395070
	28	Taxable income before net operating loss deduction and special deductions (line 11 less line 27)		28: (267777)
	29	Less: a Net operating loss deduction (see Instructions)	29a:	
		b Special deductions (Schedule C, line 20)	29b:	29c:
Tax and Payments	30	**Taxable income**—Line 28 less line 29c		30: (267777)
	31	Total tax (Schedule J, line 10)		31: 0
	32	Payments: a 1989 overpayment credited to 1990	32a:	
		b 1990 estimated tax payments	32b:	
		c Less 1990 refund applied for on Form 4466	32c: ( )	d Bal ▶ 32d:
		e Tax deposited with Form 7004	32e:	
		f Credit from regulated investment companies (attach Form 2439)	32f:	
		g Credit for Federal tax on fuels (attach Form 4136). See Instructions	32g:	32h:
	33	Enter any penalty for underpayment of estimated tax—Check ▶ ☐ if Form 2220 is attached		33:
	34	**Tax due**—If the total of lines 31 and 33 is larger than line 32h, enter amount owed		34: 0
	35	**Overpayment**—If line 32h is larger than the total of lines 31 and 33, enter amount overpaid		35:
	36	Enter amount of line 35 you want: **Credited to 1991 estimated tax** ▶	**Refunded** ▶	36:

Please Sign Here

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

▶ Signature of officer: John T Nelson Jr — Date — ▶ Title

Paid Preparer's Use Only

Preparer's signature ▶ — Date: 11-15-91 — Check if self-employed ☐ — Preparer's social security number

Firm's name (or yours if self-employed) and address ▶ — E.I. No. ▶ — ZIP code ▶

Schedule J Tax Computation

1	Check if you are a member of a controlled group (see sections 1561 and 1563) ▶ ☐		
2	If the box on line 1 is checked:		
a	Enter your share of the $50,000 and $25,000 taxable income bracket amounts (in that order): (i) $ (ii) $		
b	Enter your share of the additional 5% tax (not to exceed $11,750) ▶ $		
3	Income tax (see Instructions to figure the tax). Check this box if the corporation is a qualified personal service corporation (see Instructions on page 12). ▶ ☐	3	0
4a	Foreign tax credit (attach Form 1118)	4a	
b	Possessions tax credit (attach Form 5735)	4b	
c	Orphan drug credit (attach Form 6765)	4c	
d	Credit for fuel produced from a nonconventional source (see Instructions)	4d	
e	General business credit. Enter here and check which forms are attached: ☐ Form 3800 ☐ Form 3468 ☐ Form 5884 ☐ Form 6478 ☐ Form 6765 ☐ Form 8586	4e	
f	Credit for prior year minimum tax (attach Form 8801)	4f	
5	**Total**—Add lines 4a through 4f	5	
6	Line 3 less line 5	6	
7	Personal holding company tax (attach Schedule PH (Form 1120))	7	
8	Recapture taxes. Check if from: ☐ Form 4255 ☐ Form 8611	8	
9a	Alternative minimum tax (attach Form 4626). See Instructions	9a	
b	Environmental tax (attach Form 4626)	9b	
10	**Total tax**—Add lines 6 through 9b. Enter here and on line 31, page 1	10	0

Additional Information (See General Instruction F.)

		Yes	No
H	Refer to the list in the Instructions and state the principal:		
	(1) Business activity code no. ▶ 3470		
	(2) Business activity ▶ GALVANIZING		
	(3) Product or service ▶		
I	(1) Did the corporation at the end of the tax year own, directly or indirectly, 50% or more of the voting stock of a domestic corporation? (For rules of attribution, see section 267(c).) If "Yes," attach a schedule showing: (a) name, address, and identifying number; (b) percentage owned; and (c) taxable income or (loss) before NOL and special deductions of such corporation for the tax year ending with or within your tax year.		X
	(2) Did any individual, partnership, corporation, estate, or trust at the end of the tax year own, directly or indirectly, 50% or more of the corporation's voting stock? (For rules of attribution, see section 267(c).) If "Yes," complete (a) through (c)	X	
	(a) Attach a schedule showing name, address, and identifying number. SEE E		
	(b) Enter percentage owned ▶ 100		
	(c) Was the owner of such voting stock a foreign person? (See Instructions.) **Note:** *If "Yes," the corporation may have to file Form 5472*		X
	If "Yes," enter owner's country ▶		
J	Was the corporation a U.S. shareholder of any controlled foreign corporation? (See sections 951 and 957.) If "Yes," attach Form 5471 for each such corporation.		X
K	At any time during the tax year, did the corporation have an interest in or a signature or other authority over a financial account in a foreign country (such as a bank account, securities account, or other financial account)? (See General Instruction F and filing requirements for form TD F 90-22.1.) If "Yes," enter name of foreign country ▶		X
L	Was the corporation the grantor of, or transferor to, a foreign trust that existed during the current tax year, whether or not the corporation has any beneficial interest in it? If "Yes," the corporation may have to file Forms 3520, 3520-A, or 926.		X
M	During this tax year, did the corporation pay dividends (other than stock dividends and distributions in exchange for stock) in excess of the corporation's current and accumulated earnings and profits? (See sections 301 and 316.) If "Yes," file Form 5452. If this is a consolidated return, answer here for parent corporation and on Form 851, Affiliations Schedule, for each subsidiary.		X
N	During this tax year, did the corporation maintain any part of its accounting/tax records on a computerized system?		X
O	Check method of accounting: (1) ☐ Cash (2) ☒ Accrual (3) ☐ Other (specify) ▶		
P	Check this box if the corporation issued publicly offered debt instruments with original issue discount ☐ If so, the corporation may have to file Form 8281.		
Q	Enter the amount of tax-exempt interest received or accrued during the tax year ▶ $ 0		
R	Enter the number of shareholders at the end of the tax year if there were 35 or fewer shareholders ▶ 2		

Form **4562**

Department of the Treasury
Internal Revenue Service (R)

Depreciation and Amortization
(Including Information on Listed Property)

▶ See separate instructions. ▶ Attach this form to your return.

OMB No. 1545-0172

1990

Attachment Sequence No. 67

Name(s) shown on return

NELSON GALVANIZING INC

Identifying number

11-1572517

Business or activity to which this form relates

Part I **Election To Expense Certain Tangible Property (Section 179)** (Note: *If you have any "Listed Property," also complete Part V.*)

1 Maximum dollar limitation (see instructions)	1	$10,000
2 Total cost of section 179 property placed in service during the tax year (see instructions)	2	
3 Threshold cost of section 179 property before reduction in limitation	3	$200,000
4 Reduction in limitation—Subtract line 3 from line 2, but do not enter less than -0-	4	
5 Dollar limitation for tax year—Subtract line 4 from line 1, but do not enter less than -0-	5	

	(a) Description of property	(b) Cost	(c) Elected cost
6			

7 Listed property—Enter amount from line 26	7		
8 Total elected cost of section 179 property—Add amounts in column (c), lines 6 and 7	8		
9 Tentative deduction—Enter the lesser of line 5 or line 8	9		
10 Carryover of disallowed deduction from 1989 (see instructions)	10		
11 Taxable income limitation—Enter the lesser of taxable income or line 5 (see instructions)	11		
12 Section 179 expense deduction—Add lines 9 and 10, but do not enter more than line 11	12		
13 Carryover of disallowed deduction to 1991—Add lines 9 and 10, less line 12 ▶	13		

Note: *Do not use Part II or Part III below for automobiles, certain other vehicles, cellular telephones, computers, or property used for entertainment, recreation, or amusement (listed property). Instead, use Part V for listed property.*

Part II **MACRS Depreciation For Assets Placed In Service ONLY During Your 1990 Tax Year (Do Not Include Listed Property)**

(a) Classification of property	(b) Mo. and yr. placed in service	(c) Basis for depreciation (Business use only—see instructions)	(d) Recovery period	(e) Convention	(f) Method	(g) Depreciation deduction
14 General Depreciation System (GDS) (see instructions):						
a 3-year property						
b 5-year property						
c 7-year property						
d 10-year property						
e 15-year property						
f 20-year property						
g Residential rental property			27.5 yrs.	MM	S/L	
			27.5 yrs.	MM	S/L	
h Nonresidential real property			31.5 yrs.	MM	S/L	
			31.5 yrs.	MM	S/L	
15 Alternative Depreciation System (ADS) (see instructions):						
a Class life					S/L	
b 12-year			12 yrs.		S/L	
c 40-year			40 yrs.	MM	S/L	

Part III **Other Depreciation (Do Not Include Listed Property)**

16 GDS and ADS deductions for assets placed in service in tax years beginning before 1990 (see instructions)	16	
17 Property subject to section 168(f)(1) election (see instructions)	17	
18 ACRS and other depreciation (see instructions)	18	3263

Part IV **Summary**

19 Listed property—Enter amount from line 25	19	
20 Total—Add deductions on line 12, lines 14 and 15 in column (g), and lines 16 through 19. Enter here and on the appropriate lines of your return. (Partnerships and S corporations—see instructions)	20	3263
21 For assets shown above and placed in service during the current year, enter the portion of the basis attributable to section 263A costs (see instructions)	21	

National 45-605 Eye-Ease Made in USA

NELSON GALVANIZING INC

= 11-1572517

10-31-91

P. 1 LINE 26 OTHER DEDUCTIONS

TRUCK		19723
INSURANCE		5251
SECURITY		15295
HOSPITALIZATION		12952
UNIFORMS		1940
OFFICE		993
SUBSCRIPTIONS		1794
CLEANING		2153
TELEPHONE		5293
BANK CHARGES		5026
PROFESSIONAL		8470
DATA PROCESSING		9136
FACTORY EXPENSES		48359
FUEL		46545
UTILITIES		63358
		241328

Form **1120**
Department of the Treasury
Internal Revenue Service

U.S. Corporation Income Tax Return

For calendar year 1989 or tax year beginning Nov 1, 1989, ending Oct 31, 1990

▶ Instructions are separate. See page 1 for Paperwork Reduction Act Notice.

OMB No. 1545-0123

1989

Check if a—
A Consolidated return ☐
B Personal holding co. ☐
C Personal service corp. (as defined in Temp. Regs. sec. 1.441-4T—see instructions) ☐

Use IRS label. Otherwise, please print or type.

Name: ****** CAR-RT-SORT**CR04
Number: 01 11-1572517 OCT90 S19 3470 M
NELSON GALVANIZING INC
City: 11 02 BROADWAY
LONG ISLAND CITY NY 11106

n Employer identification number

Date incorporated 11/1/47

037S Total assets (see Specific Instructions) $ 581399

G Check applicable boxes: (1) ☐ Initial return (2) ☐ Final return (3) ☐ Change in address

Income	1a	Gross receipts or sales	b Less returns and allowances	c Bal ▶ 1c 1330724
	2	Cost of goods sold and/or operations (Schedule A, line 7)		2 1042148
	3	Gross profit (line 1c less line 2)		3 288576
	4	Dividends (Schedule C, line 19)		4
	5	Interest		5
	6	Gross rents		6
	7	Gross royalties		7
	8	Capital gain net income (attach Schedule D (Form 1120))		8
	9	Net gain or (loss) from Form 4797, Part II, line 18 (attach Form 4797)		9
	10	Other income (see instructions—attach schedule)		10
	11	Total income—Add lines 3 through 10	▶	11 288576
Deductions (See instructions for limitations on deductions.)	12	Compensation of officers (Schedule E, line 4)		12 69680
	13a	Salaries and wages	b Less jobs credit	c Balance ▶ 13c
	14	Repairs		14
	15	Bad debts		15
	16	Rents		16 1289
	17	Taxes		17 63893
	18	Interest		18 24724
	19	Contributions (see Instructions for 10% limitation)		19
	20	Depreciation (attach Form 4562)	20 3918	
	21	Less depreciation claimed on Schedule A and elsewhere on return	21a	21b 3918
	22	Depletion		22
	23	Advertising		23
	24	Pension, profit-sharing, etc., plans		24
	25	Employee benefit programs		25 50430
	26	Other deductions (attach schedule)		26 272489
	27	Total deductions—Add lines 12 through 26	▶	27 486423
	28	Taxable income before net operating loss deduction and special deductions (line 11 less line 27)		28 (197847)
	29	Less: a Net operating loss deduction (see instructions)	29a	
		b Special deductions (Schedule C, line 20)	29b	29c
Tax and Payments	30	Taxable income—Line 28 less line 29c		30 (197847)
	31	Total tax (Schedule J, line 10)		31 —0—
	32	Payments: a 1988 overpayment credited to 1989	32a	
		b 1989 estimated tax payments	32b	
		c Less 1989 refund applied for on Form 4466	32c ( )	d Bal ▶ 32d
		e Tax deposited with Form 7004		32e
		f Credit from regulated investment companies (attach Form 2439)		32f
		g Credit for Federal tax on fuels (attach Form 4136)		32g 32h
	33	Enter any penalty for underpayment of estimated tax—Check ▶ ☐ if Form 2220 is attached		33
	34	Tax due—If the total of lines 31 and 33 is larger than line 32h, enter amount owed		34 —0—
	35	Overpayment—If line 32h is larger than the total of lines 31 and 33, enter amount overpaid		35
	36	Enter amount of line 35 you want: Credited to 1990 estimated tax ▶	Refunded ▶	36

Please Sign Here

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

Signature of officer ▶ [signature] Date ▶ Title

Paid Preparer's Use Only

Preparer's signature ▶ Date 11-16-90 Check if self-employed ☐ Preparer's social security number

Firm's name (or yours if self-employed) and address ▶ E.I. No. ▶ ZIP code ▶

Form 1120 (1989)

Schedule L Balance Sheets

Assets	Beginning of tax year (a)	Beginning of tax year (b)	End of tax year (c)	End of tax year (d)
1 Cash		13082		3127
2a Trade notes and accounts receivable				
b Less allowance for bad debts		42399		41307
3 Inventories		35612		158410
4 U.S. government obligations				
5 Tax-exempt securities (see instructions)				
6 Other current assets (attach schedule)				
7 Loans to stockholders				
8 Mortgage and real estate loans				
9 Other investments (attach schedule)				
10a Buildings and other depreciable assets	224313		224313	
b Less accumulated depreciation	216807	7506	220725	3588
11a Depletable assets				
b Less accumulated depletion				
12 Land (net of any amortization)				
13a Intangible assets (amortizable only)				
b Less accumulated amortization				
14 Other assets (attach schedule)				
15 Total assets		581399		578203
Liabilities and Stockholders' Equity				
16 Accounts payable		249630		459304
17 Mortgages, notes, bonds payable in less than 1 year				
18 Other current liabilities (attach schedule)				
19 Loans from stockholders				
20 Mortgages, notes, bonds payable in 1 year or more		227748		227745
21 Other liabilities (attach schedule)				
22 Capital stock: a Preferred stock				
b Common stock		39650	39650	
23 Paid-in or capital surplus				
24 Retained earnings—Appropriated (attach schedule)				
25 Retained earnings—Unappropriated		64371		(148494)
26 Less cost of treasury stock		( )		( )
27 Total liabilities and stockholders' equity		581399		578203

Schedule M-1 Reconciliation of Income per Books With Income per Return

(You are not required to complete this schedule if the total assets on line 15, column (d), of Schedule L are less than $25,000.)

1 Net income per books	(21870)	7 Income recorded on books this year not included on this return (itemize):	
2 Federal income tax		a Tax-exempt interest $	
3 Excess of capital losses over capital gains			
4 Income subject to tax not recorded on books this year (itemize):			
5 Expenses recorded on books this year not deducted on this return (itemize):		8 Deductions on this return not charged against book income this year (itemize):	
a Depreciation $		a Depreciation $	
b Contributions carryover $		b Contributions carryover $	
c Travel and entertainment $			
PENALTIES			
	15023		
6 Total of lines 1 through 5	(197847)	9 Total of lines 7 and 8	
		10 Income (line 28, page 1)—line 6 less line 9	(197847)

Schedule M-2 Analysis of Unappropriated Retained Earnings per Books (line 25, Schedule L)

(You are not required to complete this schedule if the total assets on line 15, column (d), of Schedule L are less than $25,000.)

1 Balance at beginning of year	64371	5 Distributions: a Cash	
2 Net income per books	(21870)	b Stock	
3 Other increases (itemize):		c Property	
		6 Other decreases (itemize):	
4 Total of lines 1, 2, and 3	(148494)	7 Total of lines 5 and 6	
		8 Balance at end of year (line 4 less line 7)	(148494)

NELSON GALVANIZING INC
#11-1572517
10/31/90

P1 LINE 26 OTHER DEDUCTIONS

TRUCK	21614
INSURANCE	15406
SECURITY	10234
UNIFORMS	2942
CLEANING	2297
DUES	1552
OFFICE	1038
TELEPHONE	6705
FACTORY EXPENSES	40755
FUEL	64545
UTILITIES	70968
BANK CHARGES	4900
PROFESSIONAL	20754
DATA PROCESSING	3787
PERMITS	4587
MISCELLANEOUS	405
	272489

Form **1120**
Department of the Treasury
Internal Revenue Service

U.S. Corporation Income Tax Return

For calendar year 1988 or tax year beginning 11/1, 1988, ending 10/31, 19 89.
▶ For Paperwork Reduction Act Notice, see page 1 of the instructions.

OMB No 1545-0123
1988

Check if a—
A Consolidated return ☐
B Personal holding co. ☐
C Personal service corp. (as defined in Temp. Regs. sec. 1.441-4T—see instructions) ☐

Use IRS label. Otherwise, please print or type.

Name: NELSON GALVANIZING INC
Number and street (or P.O. box number if mail is not delivered to street address): 11-02 BROADWAY
City or town, state, and ZIP code: LONG ISLAND CITY, NY 11106

D Employer identification number: 11-1572517
E Date incorporated: 11-1-47
F Total assets (See Specific Instructions.) Dollars: $ 581399 Cents:

G Check applicable boxes. (1) ☐ Initial return (2) ☐ Final return (3) ☐ Change in address

Income	1a	Gross receipts or sales	b Less returns and allowances	c Bal ▶	1c	1968929
	2	Cost of goods sold and/or operations (Schedule A)			2	1612780
	3	Gross profit (line 1c less line 2)			3	356149
	4	Dividends (Schedule C, line 19)			4	
	5	Interest			5	
	6	Gross rents			6	
	7	Gross royalties			7	
	8	Capital gain net income (attach separate Schedule D)			8	
	9	Net gain or (loss) from Form 4797, Part II, line 18 (attach Form 4797)			9	
	10	Other income (see instructions—attach schedule)			10	
	11	Total income—Add lines 3 through 10 and enter here		▶	11	356149
Deductions (See instructions for limitations on deductions.)	12	Compensation of officers (Schedule E)			12	59280
	13a	Salaries and wages	b Less jobs credit	c Balance ▶	13c	
	14	Repairs			14	
	15	Bad debts			15	
	16	Rents			16	
	17	Taxes			17	21451
	18	Interest			18	20402
	19	Contributions (see instructions for 10% limitation)			19	
	20	Depreciation (attach Form 4562)	20 5885		21b	5885
	21	Less depreciation claimed in Schedule A and elsewhere on return	21a		22	
	22	Depletion			23	
	23	Advertising			24	
	24	Pension, profit-sharing, etc., plans			25	2612
	25	Employee benefit programs			26	5128
	26	Other deductions (attach schedule)			27	377616
	27	Total deductions—Add lines 12 through 26 and enter here		▶	28	(21457)
	28	Taxable income before net operating loss deduction and special deductions (line 11 less line 27)				
	29	Less: a Net operating loss deduction (see instructions)	29a			
		b Special deductions (Schedule C, line 20)	29b		29c	
Tax and Payments	30	Taxable income (line 28 less line 29c)			30	(21457)
	31	Total tax (Schedule J)			31	-0-
	32	Payments: a 1987 overpayment credited to 1988	32a			
		b 1988 estimated tax payments	32b			
		c Less 1988 refund applied for on Form 4466	32c ( )	d Bal ▶ 32d		
		e Tax deposited with Form 7004		32e		
		f Credit from regulated investment companies (attach Form 2439)		32f		
		g Credit for Federal tax on fuels (attach Form 4136)		32g	32h	
	33	Enter any penalty for underpayment of estimated tax—check ▶ ☐ if Form 2220 is attached			33	
	34	Tax due—If the total of lines 31 and 33 is larger than line 32h, enter amount owed			34	-0-
	35	Overpayment—If line 32h is larger than the total of lines 31 and 33, enter amount overpaid			35	
	36	Enter amount of line 35 you want: Credited to 1989 estimated tax ▶		Refunded ▶	36	

Please Sign Here

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

▶ Signature of officer — Date — ▶ Title

Paid Preparer's Use Only

Preparer's signature ▶ | Date | Check if self-employed ☐ | Preparer's social security number

Firm's name (or yours if self-employed) and address ▶ | E.I. No. ▶ | ZIP code ▶

Schedule A Cost of Goods Sold and/or Operations (See instructions for line 2, page 1.)

1 Inventory at beginning of year	1	131 214
2 Purchases	2	452 394
3 Cost of labor	3	951 120
4a Additional section 263A costs (see instructions—attach schedule)	4a	
b Other costs (attach schedule)	4b	213 654
5 Total—Add lines 1 through 4b	5	1748392
6 Inventory at end of year	6	135612
7 Cost of goods sold and/or operations—Line 5 less line 6. Enter here and on line 2, page 1	7	1612780

8a Check all methods used for valuing closing inventory:
(i) ☐ Cost (ii) ☑ Lower of cost or market as described in Regulations section 1.471-4 (see instructions)
(iii) ☐ Writedown of "subnormal" goods as described in Regulations section 1.471-2(c) (see instructions)
(iv) ☐ Other (Specify method used and attach explanation.) ▶

b Check if the LIFO inventory method was adopted this tax year for any goods (if checked, attach Form 970) ☐

c If the LIFO inventory method was used for this tax year, enter percentage (or amounts) of closing inventory computed under LIFO — 8c

d Do the rules of section 263A (with respect to property produced or acquired for resale) apply to the corporation? ☐ Yes ☐ No

e Was there any change in determining quantities, cost, or valuations between opening and closing inventory? If "Yes," attach explanation ☐ Yes ☑ No

Schedule C Dividends and Special Deductions (See Schedule C instructions.)

	(a) Dividends received	(b) %	(c) Special deductions: multiply (a) × (b)
1 Dividends from less-than-20%-owned domestic corporations that are subject to the 70% deduction (other than debt-financed stock)		70	
2 Dividends from 20%-or-more-owned domestic corporations that are subject to the 80% deduction (other than debt-financed stock)		80	
3 Dividends on debt-financed stock of domestic and foreign corporations (section 246A)		see instructions	
4 Dividends on certain preferred stock of less-than-20%-owned public utilities		41.176	
5 Dividends on certain preferred stock of 20%-or-more-owned public utilities		47.059	
6 Dividends from less-than-20%-owned foreign corporations and certain FSCs that are subject to the 70% deduction		70	
7 Dividends from 20%-or-more-owned foreign corporations and certain FSCs that are subject to the 80% deduction		80	
8 Dividends from wholly owned foreign subsidiaries subject to the 100% deduction (section 245(b))		100	
9 Total—Add lines 1 through 8. See instructions for limitation			
10 Dividends from domestic corporations received by a small business investment company operating under the Small Business Investment Act of 1958		100	
11 Dividends from certain FSCs that are subject to the 100% deduction (section 245(c)(1))		100	
12 Dividends from affiliated group members subject to the 100% deduction (section 243(a)(3))		100	
13 Other dividends from foreign corporations not included in lines 3, 6, 7, 8, and 11			
14 Income from controlled foreign corporations under subpart F (attach Forms 5471)			
15 Foreign dividend gross-up (section 78)			
16 IC-DISC and former DISC dividends not included in lines 1, 2, and/or 3 (section 246(d))			
17 Other dividends			
18 Deduction for dividends paid on certain preferred stock of public utilities (see instructions)			
19 Total dividends—Add lines 1 through 17. Enter here and on line 4, page 1. ▶			

20 Total deductions—Add lines 9, 10, 11, 12, and 18. Enter here and on line 29b, page 1 ▶

Schedule E Compensation of Officers (See instructions for line 12, page 1.)

Complete Schedule E only if total receipts (line 1a, plus lines 4 through 10, of page 1, Form 1120) are $150,000 or more.

(a) Name of officer	(b) Social security number	(c) Percent of time devoted to business	Percent of corporation stock owned (d) Common	(e) Preferred	(f) Amount of compensation
1 JOHN SWEENEY JR.	102-32-7058	100 %	50 %	%	33280
ROBERT SWEENEY	102-32-6575	100 %	50 %	%	26000
		%	%	%	
		%	%	%	
		%	%	%	

2 Total compensation of officers	
3 Less: Compensation of officers claimed in Schedule A and elsewhere on return	( )
4 Compensation of officers deducted on line 12, page 1	59280

Schedule J Tax Computation (See instructions.)

1 Check if you are a member of a controlled group (see sections 1561 and 1563) . . . . . ▶ ☐

2 If line 1 is checked:

a Enter your share of the $50,000 and $25,000 taxable income bracket amounts (in that order):

(i) $ _____ (ii) $ _____

b Enter your share of the additional 5% tax (not to exceed $11,750) $ _____

3	Income tax (See instructions to figure the tax). Check this box if the corporation is a qualified personal service corporation (see instructions) ▶ ☐		3 -0-
4a	Foreign tax credit (attach Form 1118)	4a	
b	Possessions tax credit (attach Form 5735)	4b	
c	Orphan drug credit (attach Form 6765)	4c	
d	Credit for fuel produced from a nonconventional source (see instructions)	4d	
e	General business credit. Enter here and check which forms are attached: ☐ Form 3800 ☐ Form 3468 ☐ Form 5884 ☐ Form 6478 ☐ Form 6765 ☐ Form 8586	4e	
f	Credit for prior year minimum tax (attach Form 8801)	4f	
5	Total—Add lines 4a through 4f		5
6	Line 3 less line 5		6
7	Personal holding company tax (attach Schedule PH (Form 1120))		7
8	Recapture taxes. Check if from: ☐ Form 4255 ☐ Form 8611		8
9a	Alternative minimum tax (see instructions—attach Form 4626)		9a
b	Environmental tax (see instructions—attach Form 4626)		9b
10	Total tax—Add lines 6 through 9b. Enter here and on line 31, page 1		10 -0-

Additional Information (See instruction F.)

		Yes	No
H	Refer to the list in the instructions and state the principal: (1) Business activity code no. ▶ 3470 (2) Business activity ▶ GALVANIZING (3) Product or service ▶		
I	(1) Did the corporation at the end of the tax year own, directly or indirectly, 50% or more of the voting stock of a domestic corporation? (For rules of attribution, see section 267(c).) If "Yes," attach a schedule showing: (a) name, address, and identifying number; (b) percentage owned; and (c) taxable income or (loss) before NOL and special deductions of such corporation for the tax year ending with or within your tax year.		✓
	(2) Did any individual, partnership, corporation, estate, or trust at the end of the tax year own, directly or indirectly, 50% or more of the corporation's voting stock? (For rules of attribution, see section 267(c).) If "Yes," complete (a) through (c)		✓
	(a) Attach a schedule showing name, address, and identifying number. SCH E		
	(b) Enter percentage owned ▶ 100%		
	(c) Was the owner of such voting stock a person other than a U.S. person? (See instructions.) Note: *If "Yes," the corporation may have to file Form 5472.* If "Yes," enter owner's country ▶		✓
J	Was the corporation a U.S. shareholder of any controlled foreign corporation? (See sections 951 and 957.) If "Yes," attach Form 5471 for each such corporation.		✓
K	At any time during the tax year, did the corporation have an interest in or a signature or other authority over a financial account in a foreign country (such as a bank account, securities account, or other financial account)? (See instruction F and filing requirements for form TD F 90-22.1.) If "Yes," enter name of foreign country ▶		✓
L	Was the corporation the grantor of, or transferor to, a foreign trust which existed during the current tax year, whether or not the corporation has any beneficial interest in it? If "Yes," the corporation may have to file Forms 3520, 3520-A, or 926.		✓
M	During this tax year, did the corporation pay dividends (other than stock dividends and distributions in exchange for stock) in excess of the corporation's current and accumulated earnings and profits? (See sections 301 and 316.) If "Yes," file Form 5452. If this is a consolidated return, answer here for parent corporation and on Form 851, Affiliations Schedule, for each subsidiary.		✓
N	During this tax year did the corporation maintain any part of its accounting/tax records on a computerized system?		✓
O	Check method of accounting: (1) ☐ Cash (2) ☑ Accrual (3) ☐ Other (specify) ▶		
P	Check this box if the corporation issued publicly offered debt instruments with original issue discount ☐ If so, the corporation may have to file Form 8281.		
Q	Enter the amount of tax-exempt interest received or accrued during the tax year ▶ 0		
R	Enter the number of shareholders at the end of the tax year if there were 35 or fewer shareholders ▶ 2		

Schedule L Balance Sheets

Assets	Beginning of tax year (a)	Beginning of tax year (b)	End of tax year (c)	End of tax year (d)
1 Cash		449		15082
2 Trade notes and accounts receivable				
a Less allowance for bad debts		27527		42319
3 Inventories		12121		13561
4 Federal and state government obligations				
5 Other current assets (attach schedule)		307		
6 Loans to stockholders				
7 Mortgage and real estate loans				
8 Other investments (attach schedule)				
9 Buildings and other depreciable assets	22431 3		22431 3	
a Less accumulated depreciation	210922	12291	216807	7506
10 Depletable assets				
a Less accumulated depletion				
11 Land (net of any amortization)				
12 Intangible assets (amortizable only)				
a Less accumulated amortization				
13 Other assets (attach schedule)				
14 Total assets		42063 5		58109
Liabilities and Stockholders' Equity				
15 Accounts payable		20240 9		81033
16 Mortgages, notes, bonds payable in less than 1 year				168547
17 Other current liabilities (attach schedule)				160050
18 Loans from stockholders		25000		
19 Mortgages, notes, bonds payable in 1 year or more		67748		67748
20 Other liabilities (attach schedule)				
21 Capital stock: a Preferred stock				
b Common stock	39650	39650	39650	39650
22 Paid-in or capital surplus				
23 Retained earnings—Appropriated (attach schedule)				
24 Retained earnings—Unappropriated		85828		64271
25 Less cost of treasury stock		( )		( )
26 Total liabilities and stockholders' equity		42063 5		58109

Schedule M-1 Reconciliation of Income per Books With Income per Return (You are not required to complete this schedule if the total assets on line 14, column (d), of Schedule L are less than $25,000.)

1 Net income per books	(21457)	7 Income recorded on books this year not included in this return (itemize):	
2 Federal income tax		a Tax-exempt interest $	
3 Excess of capital losses over capital gains			
4 Income subject to tax not recorded on books this year (itemize):			
5 Expenses recorded on books this year not deducted in this return (itemize):		8 Deductions in this tax return not charged against book income this year (itemize):	
a Depreciation $		a Depreciation $	
b Contributions carryover $		b Contributions carryover $	
c Travel and entertainment $			
		9 Total of lines 7 and 8	
6 Total of lines 1 through 5	(21457)	10 Income (line 28, page 1)—line 6 less line 9	(21457)

Schedule M-2 Analysis of Unappropriated Retained Earnings per Books (line 24, Schedule L) (You are not required to complete this schedule if the total assets on line 14, column (d), of Schedule L are less than $25,000.)

1 Balance at beginning of year	85828	5 Distributions: a Cash	
2 Net income per books	(21457)	b Stock	
3 Other increases (itemize):		c Property	
		6 Other decreases (itemize):	
		7 Total of lines 5 and 6	
4 Total of lines 1, 2, and 3	64371	8 Balance at end of year (line 4 less line 7)	64271

☆U.S. GOVERNMENT PRINTING OFFICE: 1989 220-171 E.I. 43-0787287

NELSON GALVANIZING INC
#11-1572517
10/31/89

	1	2	3	4
	p.2 SCHA LINE 4B			
1	AUTO + TRUCKING	31753		
2	FACTORY EXPENSES	74079		
3	FREIGHT	2142		
4	FUEL	29219		
5	UTILITIES	76447		
6		213654		
7				
8	p.1 LINE 26 - OTHER DEDUCTIONS			
9	BANK CHARGES	4028		
10	CLEANING	4968		
11	DATA PROCESSING	2926		
12	DUES & SUBSCRIPTIONS	1410		
13	GIFTS	175		
14	INSURANCE	4051		
15	LICENSE	569		
16	OFFICE	2348		
17	PROFESSIONAL	18605		
18	TELEPHONE	5219		
19	UNIFORMS	6989		
20		51287		
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EXTENSION FILED TO..12-23-89 A122106-R8162531-1229-10039

1120 U.S. CORPORATION INCOME TAX RETURN

OMB No 1545-0123

1988

Department of the Treasury Internal Revenue Service

For calendar year 1988 or tax year beginning 11-01-88, ending 10-31-89

► For Paperwork Reduction Act Notice, see page 1 of the instructions.

Check if a -
A Consolidated return
B Personal holding co.
C Personal service corp. (as defined in Temp. Regs. sec. 1.441.4t -see instructions)

Name: NELSON GALVANIZING INC

Number and street: 11-02 BROADWAY

City or town, State, and ZIP code: LONG ISLAND CIT, NY 11106

D Employer identification number: 11-1572517

E Date incorporated: 11-01-47

F Total assets (See Specific Instruction) Dollars: $ 581,399

G Check applicable boxes: (1) ☐ Initial return (2) ☐ Final return (3) ☐ Change in address

INCOME	1a	Gross receipts or sales 1,968,939 b Less returns and allowances		c Balance ►	1c 1,968,939
	2	Cost of goods sold and/or operations (Schedule A)			2 1,612,780
	3	Gross profit (line 1c less line 2)			3 356,159
	4	Dividends (Schedule C, line 19)			4
	5	Interest			5
	6	Gross rents			6
	7	Gross royalties			7
	8	Capital gain net income (attach separate Schedule D)			8
	9	Net gain or (loss) from Form 4797, Part II, line 18 (attach Form 4797)			9
	10	Other income (see instructions - attach schedule)			10
	11	Total income - Add lines 3 through 10 and enter here		►	11 356,159
DEDUCTIONS (See Instructions for limitations on deductions.)	12	Compensation of officers (Schedule E)			12 59,280
	13a	Salaries and wages	b Less jobs credit	c Balance ►	13c
	14	Repairs			14
	15	Bad debts			15
	16	Rents			16
	17	Taxes			17 214,151
	18	Interest			18 20,400
	19	Contributions (see instructions for 10% limitation)			19
	20	Depreciation (attach Form 4562)	20 5,885		
	21	Less depreciation claimed in Schedule A and elsewhere on return	21a		21b 5,885
	22	Depletion			22
	23	Advertising			23
	24	Pension, profit-sharing, etc., plans			24
	25	Employee benefit programs			25 26,612
	26	Other deductions (attach schedule)			26 51,288
	27	Total deductions - Add lines 12 through 26 and enter here		►	27 377,616
	28	Taxable income before net operating loss deduction and special deductions (line 11 less line 27)			28 (21,457)
	29	Less: a Net operating loss deduction (see instructions)	29a		
		b Special deductions (Schedule C, line 20)	29b		29c
TAX AND PAYMENTS	30	Taxable income (line 28 less line 29c)			30 (21,457)
	31	Total Tax (Schedule J)			31 NONE
	32	Payments: a 1987 overpayment credited to 1988	32a		
		b 1988 estimated tax payments	32b		
		c Less 1988 refund applied for on Form 4466	32c ( )	d Bal	32d
		e Tax deposited with Form 7004			32e
		f Credit from regulated investment companies (attach Form 2439)			32f
		g Credit for Federal tax on fuels (attach Form 4136)			32g
					32h NONE
	33	Enter any penalty for underpayment of estimated tax - check ► ☐ if Form 2220 is attached			33
	34	Tax Due - If the total of lines 31 and 33 is larger than line 32h, enter amount owed			34
	35	Overpayment - If line 32h is larger than the total of lines 31 and 33, enter amount overpaid			35
	36	Enter amount of line 35 you want: Credited to 1989 estimated tax ►		Refunded ►	36

Please Sign Here

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

Signature of officer ► | Date | Title ►

Paid Preparer's Use Only

Preparer's signature ► | Date | Check if self-employed ► X | Preparer's social security no 110-40-2941

Firm's name and address ► HARVEY R. GLICK, C.P.A.
106 DONNYBROOK ROAD
SCARSDALE, NY

E.I. No. ►

ZIP code ► 10583

88T12A 01/10/89 INT.

Attachments missing
Don't need
(Duplicate)

BR
BERTHOLON | ROWLAND CORP

to: Jeff Bechtel
from: Michael Mintzer
Re: Nelson
These seem relevant for the administrative record.

PHONE: 800-727-7770 FAX: 212-577-0140 WWW.BR-CORP.COM

Here are your originals.
3/17/00
Ed

03/14/2000

Jeff,
We already had the documents in this package except for:
— Jan 19 Site Visit ..... & 2nd notice of violation dated Feb 5.
— Attachment 3 – Order
— Attachment 3 – Lab Data Management
We have incorporated them into the Admin Record! Ed!

REGION II

DATE: JUN 16 1999

SUBJECT: Referral to Superfund - Nelson Galvanizing Inc. (NGI) Facility, Long Island City, N.Y.

FROM: George Pavlou, Director ORIGINAL SIGNED BY GEORGE PAVLOU
Division of Enforcement and Compliance Assistance

TO: Richard L. Caspe, Director
Emergency and Remedial Response Division

I am writing to bring your attention to a matter which may require Superfund involvement. The conditions at Nelson Galvanizing represent a potential threat to safety and the environment. A CERCLA Removal Action occurred at this facility in 1991 during which hazardous and potentially hazardous wastes and materials were consolidated, staged and removed. However, since that time, more waste, including hazardous waste, has accumulated at the facility.

The facility is located at 11-02 Broadway in Long Island City, New York 11106. Since 1994, the facility has been closed and no galvanizing has occurred. Long Island City High School is located down the block. Children from the school frequent the block on which the facility is located. The facility is in disrepair, with walls and ceilings falling down.

In late 1994, EPA and John Sweeney, President of Nelson Galvanizing signed a RCRA Consent Order (Attachment 5) in which Sweeney was to remove all solid and liquid wastes and raw materials that accumulated since the CERCLA clean-up. Removal was to be completed by late 1995.

New York City Department of Environmental Protection (NYCDEP) Industrial Waste Unit (IWU) inspections between 1995 and 1996, found the facility inactive. In April 1997, IWU referred Nelson to the Division of Emergency Response and Technical Assessment. Nelson had shipped off some material and had dismantled a tank. Subsequently, NYCDEP issued a summons to Mr. Sweeney answerable in criminal court. The purpose of the summons is to force Mr. Sweeney to clean up the site. Mr. Sweeney appeared in Court and claimed that he could not afford to conduct a site-wide clean up. A hearing is scheduled for August 5, 1999. However, the Court cannot order Mr. Sweeney to clean up the site. It can, however, impose a criminal penalty. This information was obtained from NYC Department of Law Attorney Michael Williams.

In June 1998, RCB inspected the facility and a sampling inspection was conducted in July 1998. Approximately 60 to 70 drums, some filled and some partially filled with lead contaminated ferrous sulfate sludge were found. The sludge was generated as a result of the emptying and dismantling of a 7,000 gallon tank of sulfuric acid in which iron was cleaned prior to galvanization. We estimate that about one third of the drums may be hazardous waste. In addition, a 3,000 gallon tank partially filled with sulfuric acid and a 3,000 gallon tank partially filled with sodium hydroxide were found. Both are hazardous waste. The acid tank was TC for chromium and the sodium hydroxide tank was hazardous for corrosiveness. A 1,200 gallon tank partially filled with zinc ammonium chloride (not hazardous) was also found. A DESA sampling report is attached (Attachment 1). The facility has virtually no security.

A RCRA § 3007 Information Request Letter (Attachment 2) was sent to Mr. Sweeney, President of the NGI facility on September 24, 1998. NGI was given thirty (30) days to respond. RCB received no response. As a result, a Notice of Violation (NOV) (Attachment 3) was issued on November 6, 1998. Mr. Sweeney refused to accept this letter.

A second NOV (Attachment 4) was sent to Mr. Sweeney on December 28, 1998 for the following violations: (1) failure to respond to an information request letter; and (2) failure to abide by the requirements of the 1994 consent agreement/consent order (CA/CO) (Attachment 5). It too was not accepted and returned to RCB.

On December 30, 1998, another RCRA § 3007 information request letter (Attachment 6) requesting information on a particular requirement of the CA/CO was sent to Mr. Sweeney. This letter too was refused and returned.

In January 1999, RCB attempted to hand deliver all the above documents. We were permitted to inspect the facility (our observations indicated that there were no apparent changes since July 1998) but John Sweeney once again refused to accept the documents.

If you have any questions please don't hesitate to call me or have a staff member call Phil Clappin of my staff at (212) 637-4129.

Attachments 1 - 7

bcc: George Meyer, DECA-RCB
Phil Flax, DECA-RCB
Phil Clappin, DECA-RCB
Wilkie Sawyer, ORC-WTSB
Paul Kahn, ERRD-RPB
RCRA file

To File: January 19, 1999 Site Visit and Attempted Hand Delivery of Second RCRA § 3007 Information Request Letter and Second Notice of Violation (NOV) to Nelson Galvanizing.

From: Philip Clappin, RCRA Enforcement Officer
RCRA Compliance Branch

Date: February 5, 1999

EPA's site visit to the Nelson Galvanizing, Inc. facility on January 19, 1999 was meant to accomplish two things including the following: (1) hand deliver a RCRA § 3007 Information Request Letter and a Notice of Violation (NOV) which were previously refused when sent certified mail return receipt requested, and (2) conduct a site visit to observe first hand that the ferrous sulfate hazardous waste and other materials remained on site in virtually the same manner that they were found at an earlier RCRA Compliance Evaluation Inspection (CEI) on June 3, 1998 and an earlier sampling visit on July 23, 1998. These activities are described below in the order that they were conducted at the facility.

Attempted Serving of Correspondence -

On January 19, 1999, Joseph Zaharuk and I attempted to hand deliver to Mr. John Sweeney, previously identified as the President of Nelson Galvanizing, Inc., two letters including a RCRA § 3007 Information Request Letter and a Notice of Violation (NOV). The address of the facility is 11-02 Broadway, Long Island City, New York 11106. These letters were previously sent via certified mail, returned receipt requested (Z009143554 and Z009143551, respectively) but were returned to us undelivered because Mr. John Sweeney refused to accept them and sign the return receipt.

Upon entering the facility we approached the office area and knocked on the door. John Sweeney came to the door. I gave him the two (2) correspondence and asked him why he had not accepted and signed for the letters. He indicated that his lawyer, Anthony D. Pistone, Esq., located at 163-10 Northern Blvd., Flushing, N.Y. 11358 (suite # 205), whose phone number is (718) 539-6000, told him to refuse anything addressed to Mr. John Sweeney, President of Nelson Galvanizing, Inc. During our conversation, Mr. Sweeney indicated that he is not president and never has been president of Nelson Galvanizing, Inc. Mr. Sweeney did indicate that when the facility was operating he was in charge of the facility. He refused to accept the abovementioned correspondence because they were addressed to him, Mr. John Sweeney, President of Nelson Galvanizing, Inc. He informed me that he wants to cooperate with the agency but his lawyer has advised him not to accept any correspondence that is addressed to him as president of Nelson Galvanizing, Inc. We left without serving the correspondence.

Site Visit to Substantiate the Continued Storage of Ferrous Sulfate and other wastes at the Facility.

After we attempted to serve Mr. Sweeney the correspondence and Mr. Zaharuk left the facility, I

requested to take a closer look at the area where the wastes and chemicals were stored. During my June 3, 1998 visit to the facility I observed the presence of numerous drums (approximately 60 x 55-gallon drums) of ferrous sulfate being stored in two areas on the floor of the facility. Much of the concrete floor that originally existed at the facility has been eroded and/or otherwise removed providing direct access to the soil if a leak should occur. The number of drums of this material remained approximately the same and the drums remained uncovered, unlabeled, and undated. Plastic sheeting was placed on top of two piles of the corroded, bent drums. The general condition of the drums is and was poor. Their appearance and the number remained virtually unchanged.

I also observed the three (3) chemical tanks containing (1) sulfuric acid, (2) zinc ammonium chloride, and (3) sodium hydroxide. From information received during my June 3, 1998 CEI and the Sampling Visit of July 23, 1998, Mr Sweeney and his assistant Jean Luc Lescoat (during the July 23, 1998 visit) indicated that these materials had been stored on-site for a total of at least four (4) years after the facility closed. The chemicals were virtually unused commercially during that time. Mr. Sweeney indicated that he allowed friends to use these liquids to clean engine parts.

During the June 3, 1998 and the July 23, 1998 visits, all three (3) tanks were virtually uncovered (a plastic dropcloth had covered only the sulfuric acid tank but it was in bad shape) allowing rain water from the "non-existing", poorly maintained roof to enter them unimpeded, increasing the potential for releases to occur. During this visit, all the tanks had approximately the same amount of liquid contents as was observed during the CEI and the sampling visit. All three (3) tanks were covered with clear plastic dropcloths which seem to have been added after my previous visits to the site. In addition, the dropcloth that covered the sulfuric acid tank was in much better shape. These dropcloths were used to prevent rain water from entering the tanks and help prevent overtopping and potential releases.

Other than what appear to be new dropcloths covering the tanks containing liquid chemicals there were no apparent changes at the facility in terms of the storage and/or handling of the hazardous wastes and/or liquid wastes.

Attachment 3

To:

John T. Sweeney
11-02 Broadway
Long Island City, New York 11106

ORDER

Pursuant to the authority vested in me by sections 1403 and 1403(h), as amended, of the New York City Charter, and by section 24-608 and 24-610 of the New York City Administrative Code, (New York City Hazardous Substances Emergency Response Law) I hereby order that the following action be taken:

Whereas, on or about April 17, 1998, the New York City Department of Environmental Protection was made aware of the release or substantial threat of release of a hazardous substance(s), corrosives, and poisons, at 11-02 Broadway, Long Island City, New York 11106.

(Block 316 Lot 1); and

Whereas, the release or substantial threat of release of hazardous substance(s), corrosives, and poisons, into the environment constitutes a violation of Title 24, Chapter 6 of the New York City Administrative Code; and

Whereas, such release or substantial threat of release may present an immediate and substantial danger to the public health or welfare or to the environment, and;

Whereas, pursuant to Title 24, Chapter 6 of the New York City Administrative Code, you are deemed a responsible person to whom an order to implement response measures or to cooperate with and assist the Commissioner in implementing any response measures may be issued:

Therefore, the following work, cooperation or assistance is required at 11-02 Broadway, Long Island City, New York per the attached Scope of Work Order.

The time for compliance with this Order begins immediately.

NOTICE: TO PROTECT YOUR RIGHTS, READ THIS NOTICE:*

1. Failure of a responsible person to comply with this order within the stated time may result in the work being performed by the Department of Environmental Protection, or, may result in an application to a court of competent jurisdiction for an order directing the responsible person to comply.

2. Any responsible person who, without sufficient cause, willfully violates, or fails or refuses to comply with, any order of the Commissioner issued pursuant to section 24-608 may be liable: (a) for a civil penalty of not more that $5,000 for each day in which such violation occurs or such failure or refusal to comply continues; and (b) for an additional civil penalty in an amount at least equal to, and not more than three times, the amount of any costs incurred by the City as a result of such person's willful violation, or failure or refusal to comply. Such penalties may be recovered in a civil action brought in the name of the Commissioner or in a proceeding before the Environmental Control Board.

3. All cost incurred by the City, including but not limited to the costs of the Departments of Environmental Protection, Health, and Sanitation, and the Police and Fire Departments, for response measures implemented pursuant to Title 24, Chapter 6 or any other applicable provision of law shall be a debt recoverable from each responsible person and a lien upon the real property of or at which an owner, operator, lessee, occupant or tenant is a responsible person and at which such response measures were implemented.

4. In addition to establishing a lien, the City may recover such costs and interest thereon by bringing an action against the responsible person. The institution of such action shall not suspend or bar the right to pursue any other lawful remedy for the recovery of such costs.

5. You may request a hearing for a determination as to whether this order should be modified or revoked. You must request a hearing in writing, within ten (10) working days of service of this order. Your request must give your name, the location of the site which is the subject of this order, the date of service of this order, the substance which was released or may be released, and the action ordered to be taken. Your request must also specifically state the reason why you are requesting the hearing and must include an address for subsequent service of documents.

Failure to request a hearing within the stated time period will result in a loss of the right to challenge this order. Your request for a hearing must be served on the Department of Environmental Protection either personally, or by certified or registered mail at the following location:

NEW YORK CITY DEPARTMENT OF
ENVIRONMENTAL PROTECTION
OFFICE OF GENERAL COUNSEL - 19TH FLOOR
ATTENTION: HAZARDOUS SUBSTANCES
EMERGENCY RESPONSE ATTORNEY - RUSSELL PECUNIES
59-17 JUNCTION BOULEVARD
ELMHURST, NEW YORK 11373-5107

You will be notified by mail of the decision with regard to your request for a hearing. Your request for a hearing when served within the stated time period, stays compliance with this order.

6. A copy of this order is filed with the office of the register in the county in which is situated the property with respect to which such order was issued.

5/1/98
Date

Joel A. Miele Sr., P.E.
Commissioner, Department of
Environmental Protection

State and City of New York, County of Queens, ss:

On this 1st day of May, 1998. Before me personally came Joel A. Miele Sr., P.E. to me known and known to me to be the Commissioner of the Department of Environmental Protection of the City of New York, the person described as such in and who as such executed the foregoing instrument and he acknowledged to me that he executed the same as Commissioner for the purposes therein mentioned.

Judah Prero
Notary Public

JUDAH PRERO
Notary Public, State of New York
No. 02PR5089343
Qualified in Kings County
Commission Expires Dec 8, 1999

*A copy of the rules and regulations promulgated under the authority of Sections 1403 and 1404 of the New York City Charter, and by Sections 24-609(a) and (b), 24-610(a)(4), and 24-611 of the Administrative Code, is attached to this order.

SCOPE OF WORK
Containment, Cleanup, and Technical Assessment
John T. Sweeney
11-02 Broadway, Long Island City, NY 11106
DEPACS# 98H000812
Block# 316, Lot# 1

All of the work to be done under this scope of work must be performed in compliance with all applicable federal, state, and local laws and regulations; including the requirements of the United States Environmental Protection Agency (USEPA), the United States Occupational Safety and Health Administration (OSHA), the New York State Department of Environmental Conservation (NYSDEC), the New York State Department of Health (NYSDOH), the New York City Fire Department (FDNY) and the New York City Department of Environmental Protection (NYCDEP). The following procedures must begin immediately and be completed by the dates specified.

SECURITY

Task# 1: Immediately secure the site to prevent unauthorized entry. This must begin upon service of this Order.

SECURITY

Task# 2: Immediately report any disturbance of chemical inventory to DEP-DERTA 24 hr Communications at (718) DEP-HELP. This includes but is not limited to, product release, indiscrepancies of liquid levels in existing vessels, tranfers of chemical product into other vessels or containment devices etc.

INVENTORY

Task# 3: Provide NYCDEP Division of Emergency Response & Technical Assessment (DERTA), with an inventory list of all chemical substances stored at the site. These must be received by DEP no later than May 8, 1998.

INVENTORY

Task# 4: Provide NYCDEP Division of Emergency Response & Technical Assessment (DERTA), with Material Safety Data Sheets (MSDS's) of all chemical substances stored at the site. This must be received by DEP no later than May 11, 1998.

INVENTORY

Task# 5: Repackage chemicals which are stored in dented, broken, or otherwise damaged containers. This must be completed by May 15, 1998.

INVENTORY

Task# 6: Label all containers appropriately. This must be done by May 18, 1998.

SAMPLING

Task# 7: Sample all waste waters and unknown chemical substances

for chemical analysis, to identify and characterize all materials on site. This must be completed by May 20, 1998.

SAMPLING

Task# 8: Perform soil analysis of all affected areas to determine the extent of contamination. This must be completed by May 22, 1998.

SAMPLING

Task# 9: Provide NYCDEP Division of Emergency Response & Technical Assessment (DERTA), with written analysis from a New York State certified laboratory, of all sample analysis performed. This must be received by DEP no later than May 29, 1998.

REMOVAL

Task# 10: Containerize spilled substances into DOT specification drums or containers. This must be completed by June 1, 1998.

REMOVAL

Task# 11: Excavate all contaminated soil on the site for disposal. This must be completed by June 10, 1998.

REMOVAL

Task# 12: Containerize and label all chemical wastes, waste plating solutions and sludge for transport and disposal. This must be completed by June 12, 1998.

REMOVAL

Task# 13: Transport and dispose of all chemical wastes, hazardous waste sludge, and waste water. This must be done by June 19, 1998.

REMOVAL

Task# 14: Transport and dispose of all contaminated or unusable materials on the site, to prevent release into the environment. This must be completed by June 19, 1998.

REMOVAL

Task# 15: Fill excavated areas with clean soil or clean backfill material. This must be completed by June 22, 1998.

DOCUMENTATION

Task# 16: Provide NYCDEP Division of Emergency Response & Technical Assessment (DERTA), with copies of all Hazardous Waste Manifests, and Bills of Lading for the transport and disposal of all hazardous substances from the site. These must be received by DEP by June 26, 1998.

Attachment 4

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

IN THE MATTER OF: Nelson Galvanizing, Inc. and Nelson Foundry Company, Inc. 11-02 Broadway Long Island City, New York NYD001229350 Proceeding under Section 3008 of the Solid Waste Disposal Act, as amended 42 U.S.C. § 6928	CONSENT AGREEMENT AND CONSENT ORDER Docket No. II RCRA-91-0206

PRELIMINARY STATEMENT

This is a civil administrative proceeding instituted pursuant to Section 3008 of the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act ("RCRA") and the Hazardous and Solid Waste Amendments of 1984, ("HSWA"), 42 U.S.C. § 6901 et seq. ("RCRA" or the "Act").

Complainant in this proceeding, Conrad Simon, Director of the Air & Waste Management Division of the U.S. Environmental Protection Agency, Region II, issued a COMPLAINT, COMPLIANCE ORDER AND NOTICE OF OPPORTUNITY FOR HEARING (the "Complaint") to Nelson Galvanizing Inc. and

Nelson Foundry Company, Inc. ("Respondent") on September 13, 1991, as a result of inspections conducted on or about December 13, 1990 and February 15, 1991 which revealed that Respondent had violated or was in violation of one or more requirements of Subtitle C of RCRA, the New York State Environmental Conservation Law, and the regulations promulgated thereunder concerning the management of hazardous waste.

The parties have reached an amicable resolution of this matter and have agreed to this Consent Agreement and Consent Order as a resolution of this proceeding without further litigation.

EPA FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Respondent is Nelson Galvanizing, Inc. (according to Respondent's Answer filed on October 16, 1991, there is no such entity as Nelson Foundry Company Inc., which was named in the Complaint). Respondent owns and/or operates a facility known as Nelson Galvanizing located at 11-02 Broadway, Long Island City, New York (the "facility").

2. Respondent is a "person," as that term is defined in Section 1004(15) of RCRA, 42 U.S.C. § 6903(15), 40 C.F.R. § 260.10, and in 6 NYCRR § 370.2(b)(123).

3. Respondent was a "generator" of hazardous wastes, as that term is defined in 40 C.F.R. § 262.10 and in 6 NYCRR § 370.2(b)(74).

4. By notification dated August 31, 1988, Respondent Nelson Galvanizing, Inc. informed EPA that it conducts activities at its facility involving "hazardous waste" as that term is defined in Section 1004(5) of RCRA, 42 U.S.C. § 6903(5), and in 40 C.F.R. § 261.3 and 6 NYCRR § 371.1(d) and was issued the EPA Identification Number NYD001229350.

5. On or about November 29, 1990, and February 15, 1991 inspections of the facility were conducted, pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927, by a duly-designated representative of EPA to determine compliance with specific state and federal regulations for the management of hazardous waste.

6. On or about December 13, 1990, and January 16, 1991 sampling inspections of the facility were conducted, pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927, by a duly-designated representative of EPA to determine compliance with specific state and federal regulations for the management of hazardous waste. Results of samples taken at the sampling inspections indicated that many of the drums at the facility contained D002, D007, and D008 wastes.

7. On or about January 29, 1991 Complainant issued to Respondent a Request for Information under § 3007 of RCRA and § 104(e) of CERCLA.

8. On or about March 22, 1991 Complainant received from Respondent a response to the Request for Information referenced in paragraph 7.

9. On the basis of the inspections and the response to the request for Information, Complainant determined that Respondent violated RCRA and the regulations promulgated thereunder as follows: by failing to label or clearly mark each container of hazardous waste being accumulated on-site with the words "Hazardous Waste"; by failing to provide the date upon which each period of accumulation begins, clearly marked and visible for inspection on each container of hazardous waste stored at the facility; by accumulating hazardous waste on-site for more than 90 days without obtaining a permit or without having interim status; by failing to keep closed all containers of hazardous waste except when it is necessary to add or remove waste; by failing to transfer all hazardous waste in containers that are leaking to containers that are in good condition; by failing to open, handle or store hazardous waste containers in a manner which will avoid rupturing the container or causing it to leak; by failing to maintain aisle space to

allow the unobstructed movement of personnel, fire protection equipment, spill control equipment and decontamination equipment to all areas of facility operations; by failing to inspect areas where hazardous wastes are stored on at least a weekly basis looking for leaks and deterioration caused by corrosion and other factors; by failing to have facility personnel complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures compliance with the requirements of 40 C.F.R. Part 265 and to maintain the documents and records at the facility for each position at the facility related to hazardous waste management including the job title, the name of each employee filling each job, a written job description, a written description of the type and amount of training that will be given to each person, and records that document training or job experience for each position;

by failing to operate the facility so as to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of hazardous wastes or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment; by failing to maintain an internal communication or alarm system capable of providing immediate emergency instruction to facility personnel; by failing to test and maintain fire protection equipment and other equipment to assure their proper

operation in time of emergency; by failing to have a contingency plan for its facility designed to minimize hazards to human health or the environment from fire, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil or surface water.

10. Respondent submitted several consecutive recent years of corporate tax returns which supported its contention that it was unable to pay the penalty set forth in the Complaint.

CONSENT AGREEMENT

Based upon the foregoing, and pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928 and the "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits" 40 C.F.R. § 22.18, it is hereby agreed as follows:

1. For the purpose of this proceeding, Respondent admits the jurisdictional allegations of the Complaint. Respondent neither admits nor denies specific factual allegations contained in the Complaint.

2. Respondent shall place a notice in the deed to the property on which the facility resides, using the procedures set forth in 40 C.F.R. § 265.119, indicating that the land

has been used to manage hazardous wastes and that contamination may remain.

3. Regarding the alleged contamination at the facility, both Complainant and Respondent reserve their rights as to their responses to dealing with it at some future date.

4. In July of 1994, Respondent supplied Complainant with a written inventory of chemicals currently stored on the site which included 30 gallons of sulphuric acid (raw), 7000 gallons of sulphuric acid and water, 2000 gallons of caustic soda and water, and 400 gallons of zinc ammonia chloride and water. With regard to all of the materials except the raw sulphuric acid, the 9400 gallons of waste materials must be stored in compliance with all hazardous waste storage requirements (including appropriate containers, labelling etc.) if these materials exhibit any characteristic identified in 40 C.F.R. Part 261 (either through generator knowledge or testing). One year after the effective date of this agreement, the materials mentioned above must be either removed from the facility or Respondent must apply for a permit to manage such materials.

5. Respondent shall hereafter comply with all applicable RCRA provisions and the regulations promulgated thereunder.

6. Respondent shall pay, by cashier's or certified check, a civil penalty for the violations cited above, in

the amount of five hundred ($500.00) dollars, payable to the "Treasurer of the United States of America", and mailed to EPA Region II (Regional Hearing Clerk), P.O. Box 360188M, Pittsburgh, Pennsylvania 15251. The check shall be identified with a notation of the name and docket number of this case as follows: In the Matter of Nelson Galvanizing Inc. and Nelson Foundry Company Inc., Docket No. II RCRA-91-0206. Payment must be received at the above address on or before 45 calendar days after the effective date hereof, set out below in paragraph 12 (the date by which payment must be received shall hereafter be referred to as the "due date"). Respondent shall also send a copies of this payment to Stuart N. Keith, Assistant Regional Counsel, and George Meyer, Chief, Hazardous Waste Compliance Branch at Region II. Complainant agrees to endeavor to promptly mail to Respondent a copy of the fully executed Consent Agreement and Consent Order.

a. Failure to pay the penalty in full according to the above provisions will result in the referral of this matter to the United States Department of Justice for collection.

b. Further, if payment is not received on or before the due date, interest will be assessed, at the annual rate established by the Secretary of the Treasury pursuant to 31 U.S.C. § 3717, on the overdue amount from the due date through the date of payment.

In addition, a late payment handling charge of $15.00 will be assessed for each thirty (30) day period following the due date in which the balance remains unpaid.

7. This Consent Agreement is being voluntarily and knowingly entered into by the parties in full and final settlement of all civil liabilities that might have attached as a result of the specific allegations contained in Counts 1 through 13 of the Complaint. The parties reserve the rights set forth in paragraph 3 above. Respondent has read the Consent Agreement, understands its terms, finds it to be reasonable and consents to its issuance and its terms. Respondent consents to the issuance of the accompanying Consent Order.

8. Respondent explicitly and knowingly consents to the assessment of the civil penalty as set forth in this Consent Agreement and agrees to pay the penalty in accordance with the terms of this Consent Agreement.

9. Respondent explicitly and knowingly waives its right to request or to seek any Hearing on the Complaint or on any of the allegations therein asserted, on this Consent Agreement or on any of the matters herein stated, or on the accompanying Consent Order.

10. Respondent waives any right it may have pursuant to 40 C.F.R. § 22.08 to be present during discussions with or to be served with and reply to any memorandum or

communication addressed to the Regional Administrator or the Deputy Regional Administrator where the purpose of such discussion, memorandum, or communication is to recommend that such official accept this Consent Agreement and issue the attached Consent Order.

11. Each undersigned signatory to this Consent Agreement certifies that he or she is duly and fully authorized to enter into and ratify this Consent Agreement and all the terms and conditions set forth in this Consent Agreement.

12. The effective date of this Consent Agreement shall be the date Regional Administrator signs the Consent Order accompanying this Consent Agreement.

RESPONDENT:

BY: John T Sweeney

NELSON GALVANIZING INC.

NAME: John T. SWEENEY

(Please Print)

TITLE: PRES

DATE: 9/22/94

COMPLAINANT:

Helen S Boggis f.c.s

Conrad Simon, Director
Air and Waste Management Division
U.S. Environmental Protection Agency
Region II

DATE: 10/21/94

CONSENT ORDER

The Regional Administrator of EPA, Region II, concurs in the foregoing Consent Agreement. The Consent Agreement entered into by the parties is hereby approved and issued, as an Order, effective immediately as of the date herein indicated below.

Jeanne M. Fox
Regional Administrator
U.S. Environmental Protection Agency Region II
26 Federal Plaza
New York, New York 10278

DATE: 9/26/94

RCRA ENFORCEMENT SURVEY
SAMPLING INSPECTION

NELSON GALVANIZING INC.
Long Island City, New York

NYD001229350

July 23, 1998

Participating Personnel:

U.S. Environmental Protection Agency
Robert Morrell, Geologist
Thuan Tran, Environmental Scientist
William Glynn, Environmental Scientist
Phillip Clappin, Geologist

Nelson Galvanizing Inc.
Jean-Luc LesCoat

Report Prepared By:

Robert A Morrell, J. 3/2/99
Robert Morrell, Geologist

Approved for the Director By:

Dore LaPosta 3/4/99
Dore LaPosta, Chief
Monitoring and Assessment Branch

Nelson Galvanizing Inc. **NYD001229350**
Long Island City, New York **July 23, 1998**

RCRA Enforcement Survey
Sampling Inspection

Objective and Site Background

The results of a RCRA sampling investigation in 1990-91 indicated that Nelson Galvanizing was generating and storing hazardous waste at its Long Island City facility. A Superfund removal action was completed at the Nelson Galvanizing facility in 1991 to properly dispose of all hazardous wastes that were being stored on-site. After the removal action was completed, Nelson Galvanizing resumed operations again in 1991 and continued operations for 2-3 years, generating and storing additional hazardous wastes. In 1994, Nelson Galvanizing signed a RCRA Consent Agreement/ Consent Order to remove and dispose of all hazardous waste and hazardous materials. In 1998, the hazardous waste and hazardous materials were still being stored at the Nelson Galvanizing facility.

At the request of the RCRA Compliance Branch, a RCRA sampling investigation was conducted at Nelson Galvanizing on July 23, 1998. The purpose of this investigation is to determine if hazardous waste is being stored on-site. The results of the analyses will be used to determine compliance with regulations pertaining to the Resource Conservation and Recovery Act (RCRA).

Survey Participants

Nelson Galvanizing Inc.
Jean-Luc LesCoat

U.S. Environmental Protection Agency
Phillip Clappin, Geologist
William Glynn, Environmental Scientist
Thuan Tran, Environmental Scientist
Robert Morrell, Geologist

Facility Description

Nelson Galvanizing, a former galvanizing operation, is located on Broadway in Long Island City, New York. The facility received materials made of steel and iron. The material was first cleaned with wire brushes and then sometimes dipped in a sodium hydroxide bath to further remove paint, grease, and other contaminants. The material was then placed in a heated 5% sulfuric acid bath. To keep the iron from oxidizing, the material was placed in a pre-flux solution of zinc ammonium chloride. The material was then dipped several times in a vat containing the pre-flux solution floating on molten zinc. The material was allowed to cool before being delivered to the

customer.

The waste acids were placed in 55-gallon drums, where iron sulfate sludge was precipitated. The iron sulfate sludge is currently being stored in 55-gallon drums throughout the facility. The facility is also being used as a parking garage.

Sampling Activities

Six drums and three tanks were selected for sampling. All samples were collected while wearing Level C personal protection. The sampling investigation began at Drum #1. Drum #1 consisted of a 55-gallon blue poly drum, half full of a clear liquid. Litmus paper indicated a pH of 11. The drum was sampled using a glass coliwasa. The sample (#090110) was analyzed for Corrosivity.

The sampling investigation continued at Drum #2, which consisted of a 55-gallon steel drum that was 75% full with iron sulfate sludge. Drum #2 was sampled with a polypropylene scoop. The sample (#090111) was analyzed for TCLP Metals.

The sampling team proceeded to Drum #3, which was a 55-gallon steel drum that was half full with iron sulfate sludge. Drum #3 was sampled with a polypropylene scoop. The sample (#090112) was analyzed for TCLP Metals.

The sampling survey continued at Drum #4, which consisted of a 55-gallon steel drum that was 75% full with iron sulfate sludge. Drum #4 was sampled using a polypropylene scoop. The sample (#090113) was analyzed for TCLP Metals.

The sampling team proceeded to Drum #5, which consisted of a 55-gallon steel drum that was 75% full with iron sulfate sludge and a liquid. Litmus paper indicated that the liquid had a pH of 2-3. The sludge sample (#090114) was collected with a polypropylene scoop and analyzed for TCLP Metals. The liquid sample (#090115) was collected with a polypropylene scoop and analyzed for Corrosivity.

The sampling investigation continued at Drum #6, a 55-gallon steel drum. Drum #6 was 75% full with iron sulfate crystals. The sample (#090116) was collected with a polypropylene scoop and was analyzed for TCLP Metals.

Sampling activities continued at the zinc ammonium chloride tank, which was full. Litmus paper indicated a pH of 4. A liquid sample of the tank was collected using a glass coliwasa. This sample (#090117) was analyzed for Corrosivity. A sludge sample of the tank was collected using a rod and clamp. This sample (#090118) was analyzed for TCLP Metals.

The sampling investigation continued at the sodium hydroxide tank, which was two-thirds full and contained no sludge. Litmus paper revealed a pH of 13. A liquid sample (#090121) was collected with a glass coliwasa and was analyzed for Corrosivity.

The sampling team proceeded to the sulfuric acid tank, which was full. Litmus paper indicated that the liquid in the tank had a pH of 2-3. A liquid sample (#090119) of the tank was collected with a glass coliwasa. This sample was analyzed for Corrosivity and TCLP Metals. A sludge sample (#090120) of the tank was collected with a rod and clamp. This sample was analyzed for TCLP Metals.

Analytical Results

Sample Location	Sample Matrix	TCLP Cadmium (mg/L)	TCLP Chromium (mg/L)	TCLP Lead (mg/L)	Corrosivity (pH)
#090110 Drum #1	Liquid	--	--	--	10.3
#090111 Drum #2	Sludge	ND	ND	3.1	--
#090112 Drum #3	Sludge	0.2	ND	6.8	--
#090113 Drum #4	Sludge	ND	ND	ND	--
#090114 Drum #5	Sludge	ND	ND	ND	--
#090115 Drum #5	Liquid	--	--	--	2.2
#090116 Drum #6	Sludge	ND	ND	5.9	--
#090117 Zinc Ammonium Chloride Tank	Liquid	--	--	--	4.0
#090118 Zinc Ammonium Chloride Tank	Sludge	ND	ND	4.2	--

#090119 Sulfuric Acid Tank	Liquid	1.1	7.6	ND	2.8
#090120 Sulfuric Acid Tank	Sludge	0.2	ND	ND	--
#090121 Sodium Hydroxide Tank	Liquid	--	--	--	13.6

ND - not detected

All samples were placed in coolers with wet ice and transported to the EPA Region II Laboratory in Edison, New Jersey. Only those analytes which were detected are reported in the above table. A complete list of analytes is included in the attached Laboratory Analysis Report.

Findings and Conclusions

Analytical results indicate that Nelson Galvanizing is storing hazardous waste at its facility in Long Island City:

1. Drum #3 - Based on the analytical results, the contents of this drum exhibit the RCRA characteristic of Toxicity. The TCLP Lead concentration of 6.8 mg/L is above the TCLP Lead regulatory level of 5.0 mg/L. This drum should be labelled as a D008 hazardous waste.

2. Drum #6 - The contents of this drum also exhibit the RCRA characteristic of Toxicity. The TCLP Lead concentration is 5.9 mg/L, which exceeds the TCLP regulatory level for Lead (5.0 mg/L). This drum should also be labelled as a D008 hazardous waste.

3. Sulfuric Acid Tank - The liquid in this tank exhibits the RCRA characteristic of Toxicity. The TCLP Cadmium concentration is 1.1 mg/L, which exceeds the TCLP regulatory level for Cadmium (1.0 mg/L). The TCLP Chromium concentration is 7.6 mg/L, which exceeds the TCLP regulatory level for Chromium (5.0 mg/L). This tank should be labelled as a D006 hazardous waste and a D007 hazardous waste.

4. Sodium Hydroxide Tank - The liquid in this tank exhibits the RCRA characteristic of Corrosivity. The pH of the liquid in the tank is 13.6, which is well above the regulatory level of 12.5 for Corrosivity.

Attachments

Photographs (#1-#16)
Laboratory Analysis Report
Chain of Custody
Analysis Request
Field Data Sheets

PHOTO LOG

Photo #1: Drum #1.

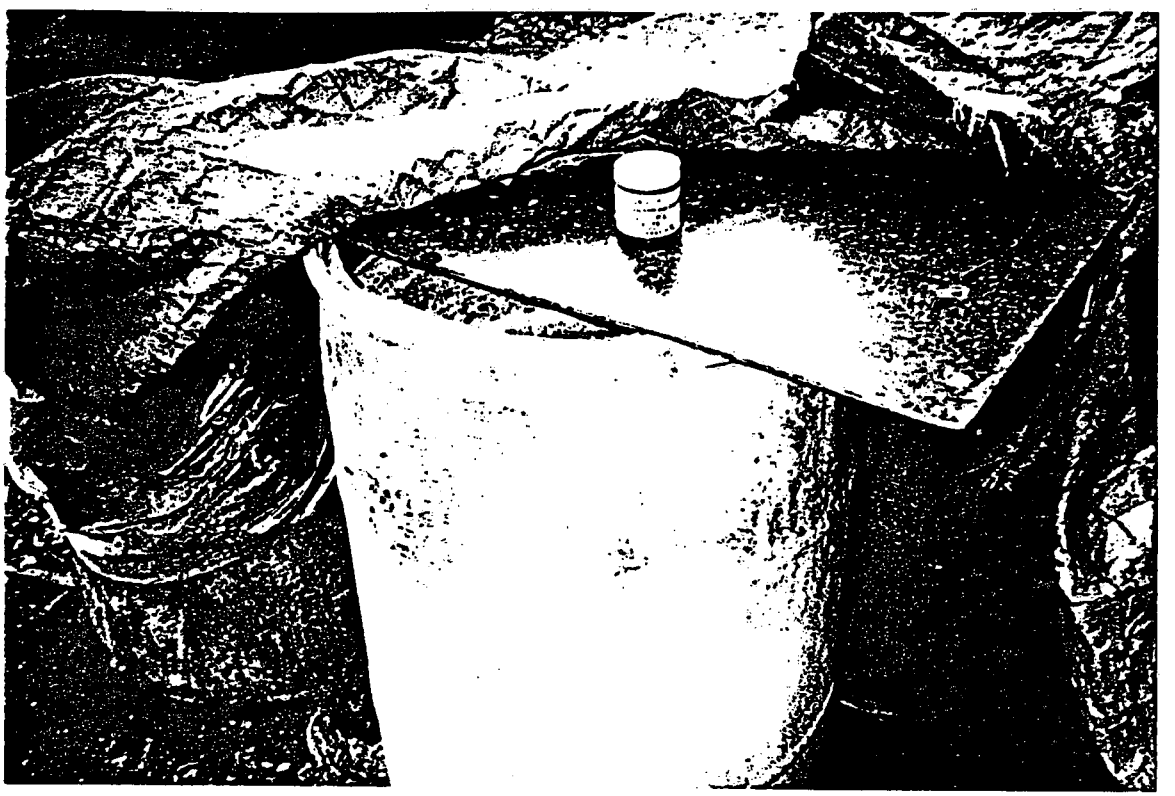

Photo #2: Drum #2.

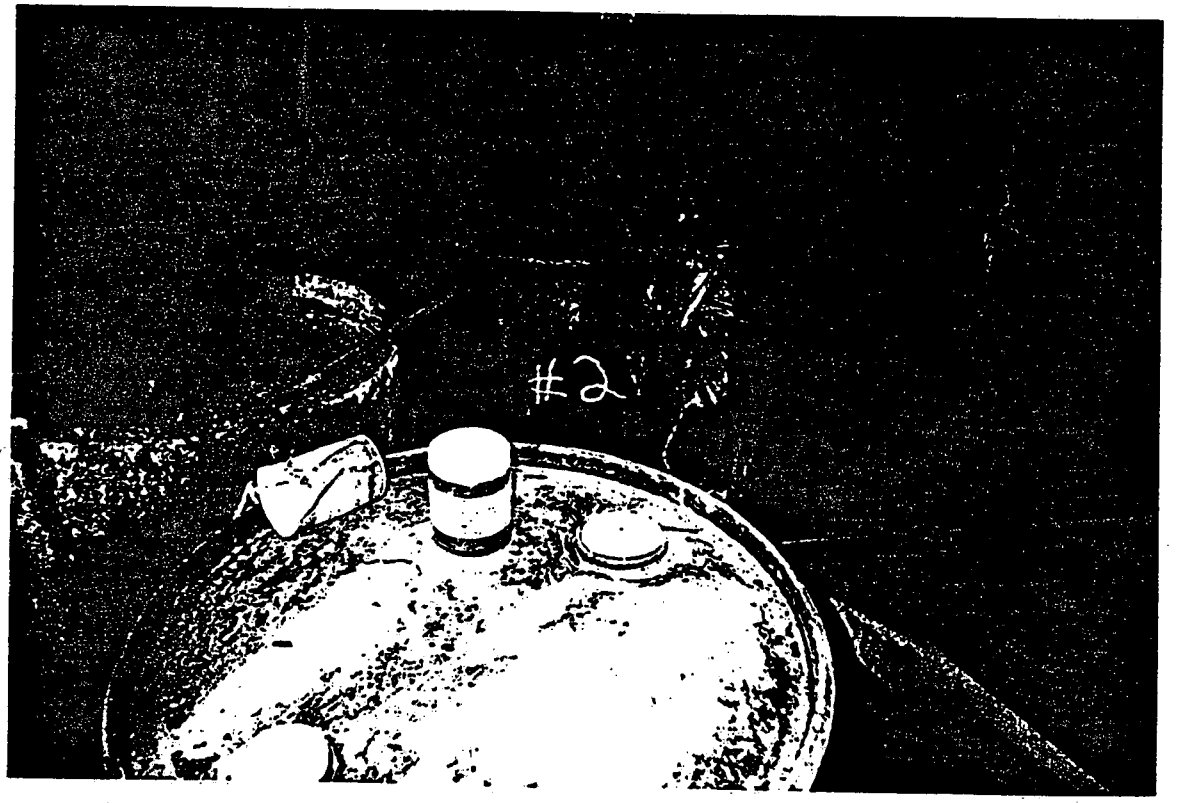

Photo #3: Drum #3.

Photo #4: Drum #4.

Photo #5: Drum #5.

Photo #6: Drum #6.

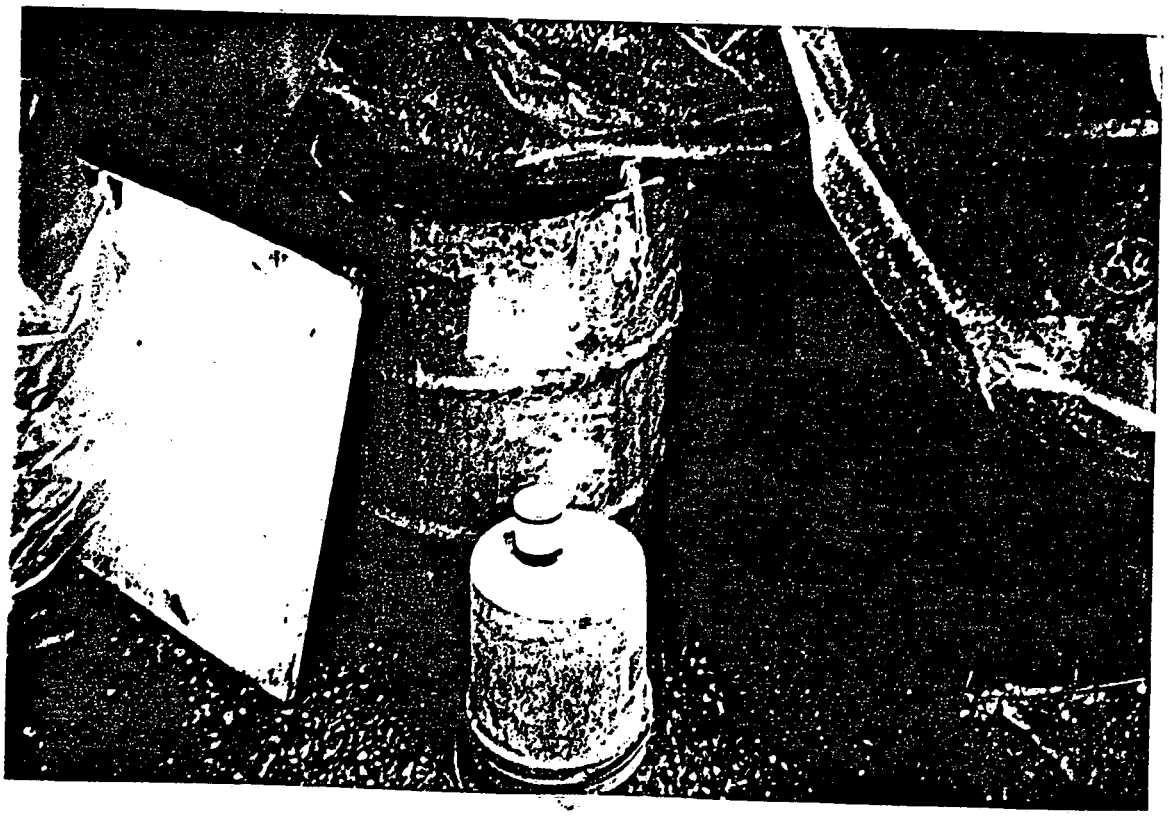

Photo #7: Zinc Ammonium Chloride Tank.

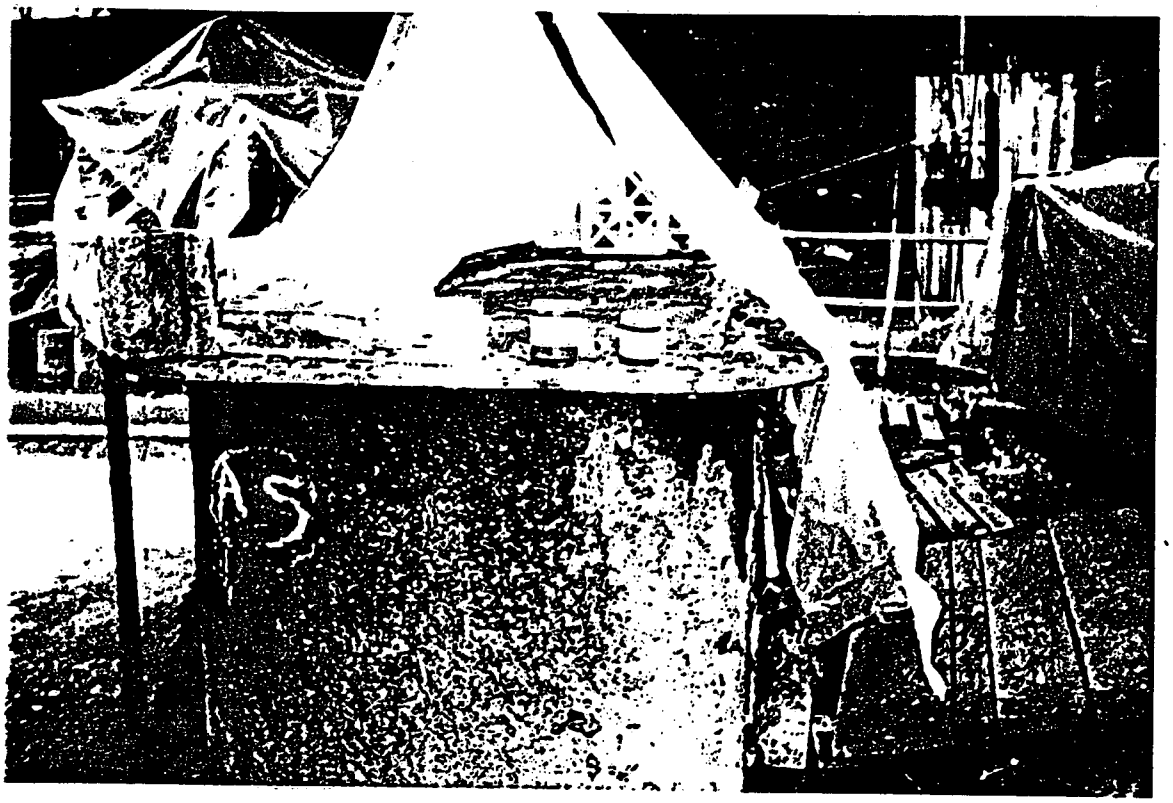

Photo #8: Another view of Zinc Ammonium Chloride Tank.

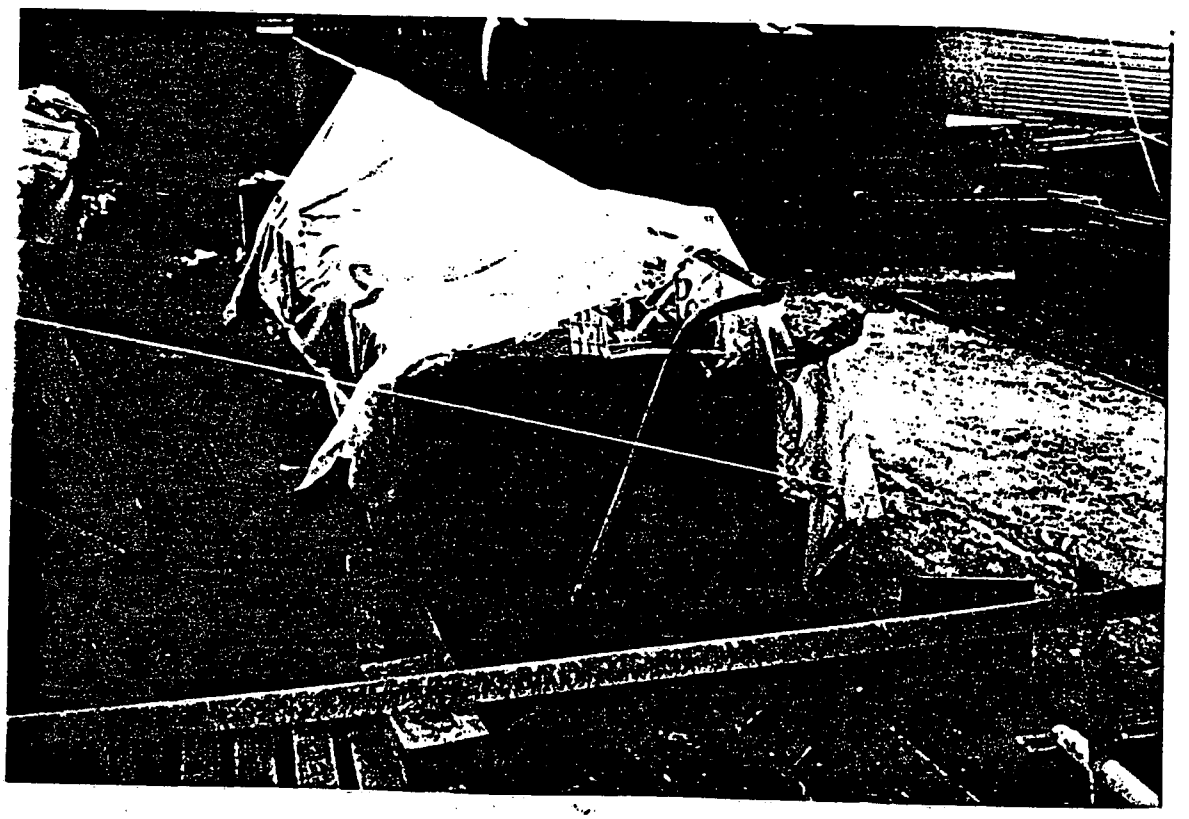

Photo #9: Sodium Hydroxide Tank.

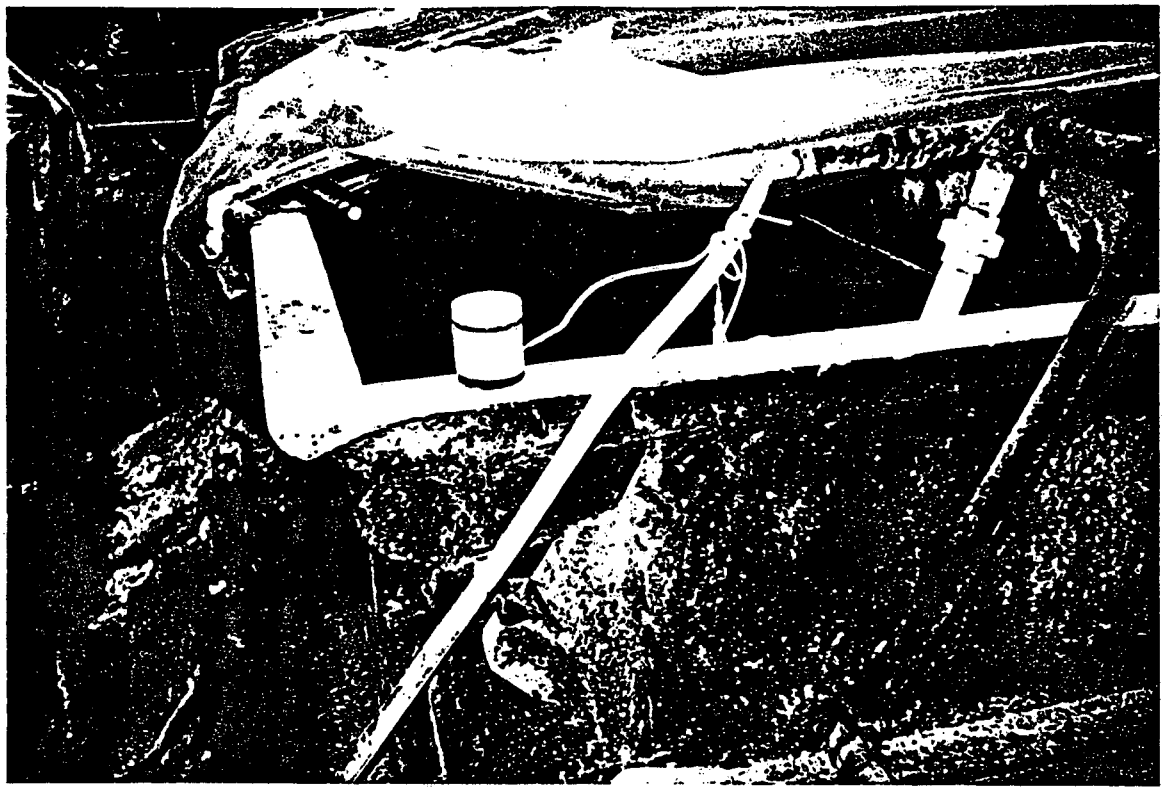

Photo #10: Another view of Sodium Hydroxide Tank.

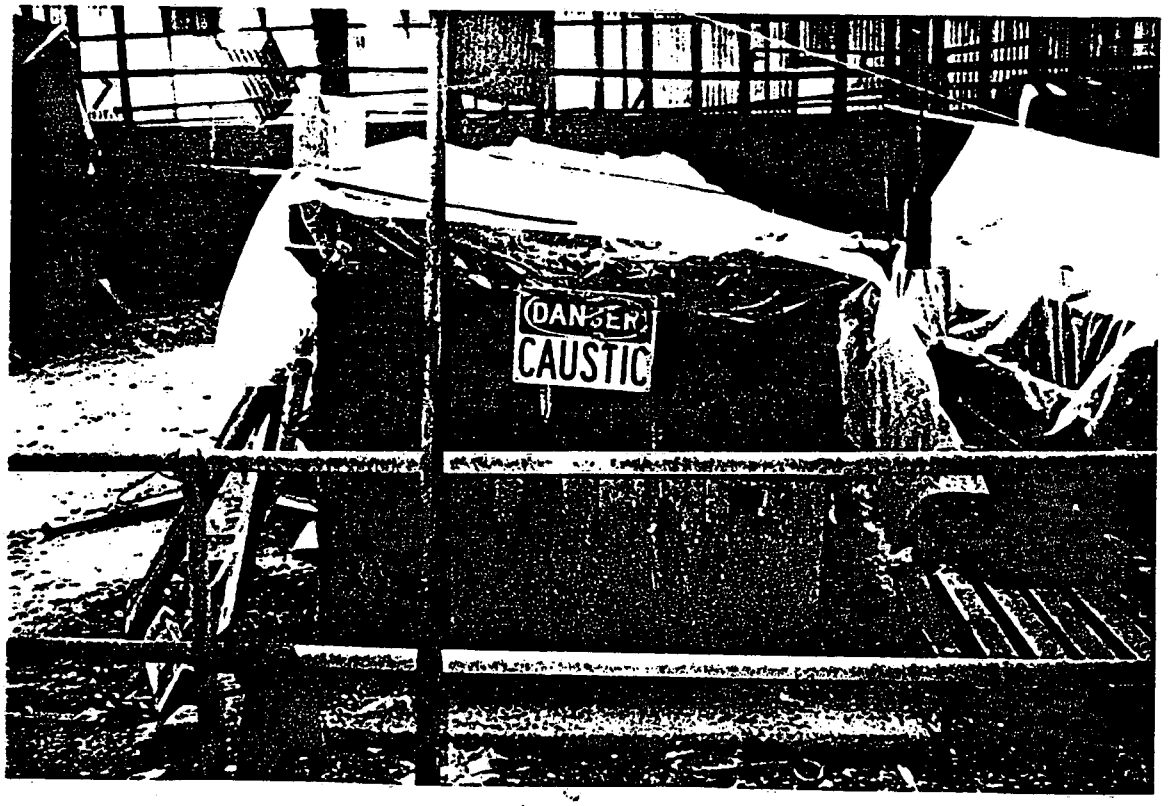

Photo #11: Sulfuric Acid Tank.

Photo #12: Another view of Sulfuric Acid Tank.

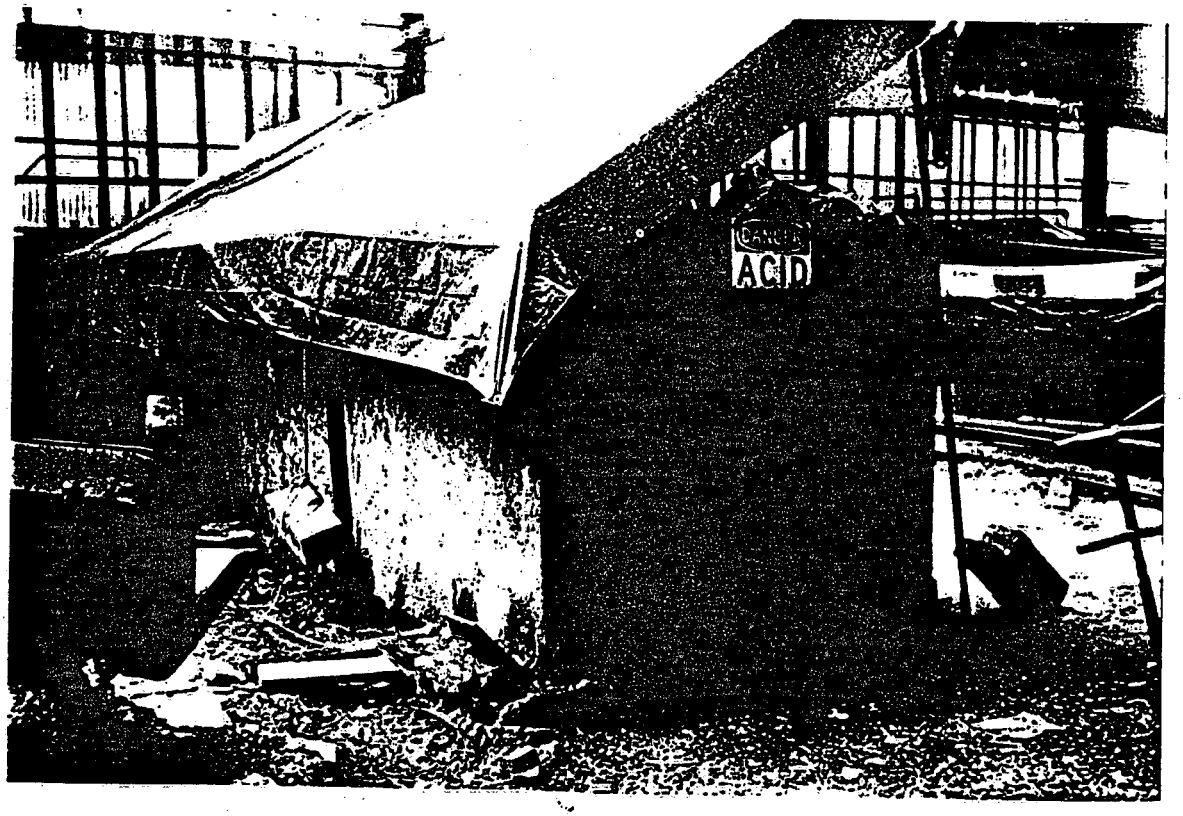

Photo #13: Location where Drum #1 was being stored.

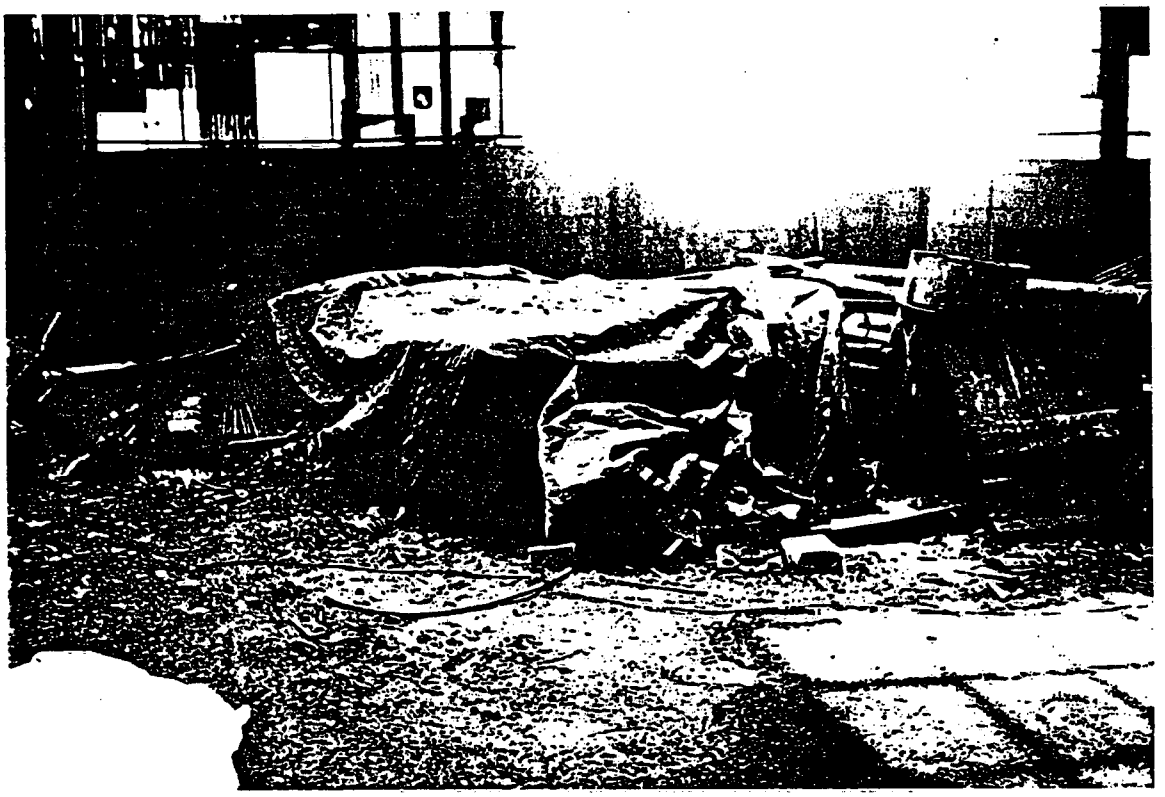

Photo #14: Location of Drum #2 and Drum #3.

Photo #15: Location of Drum #4, Drum #5, and Drum #6.

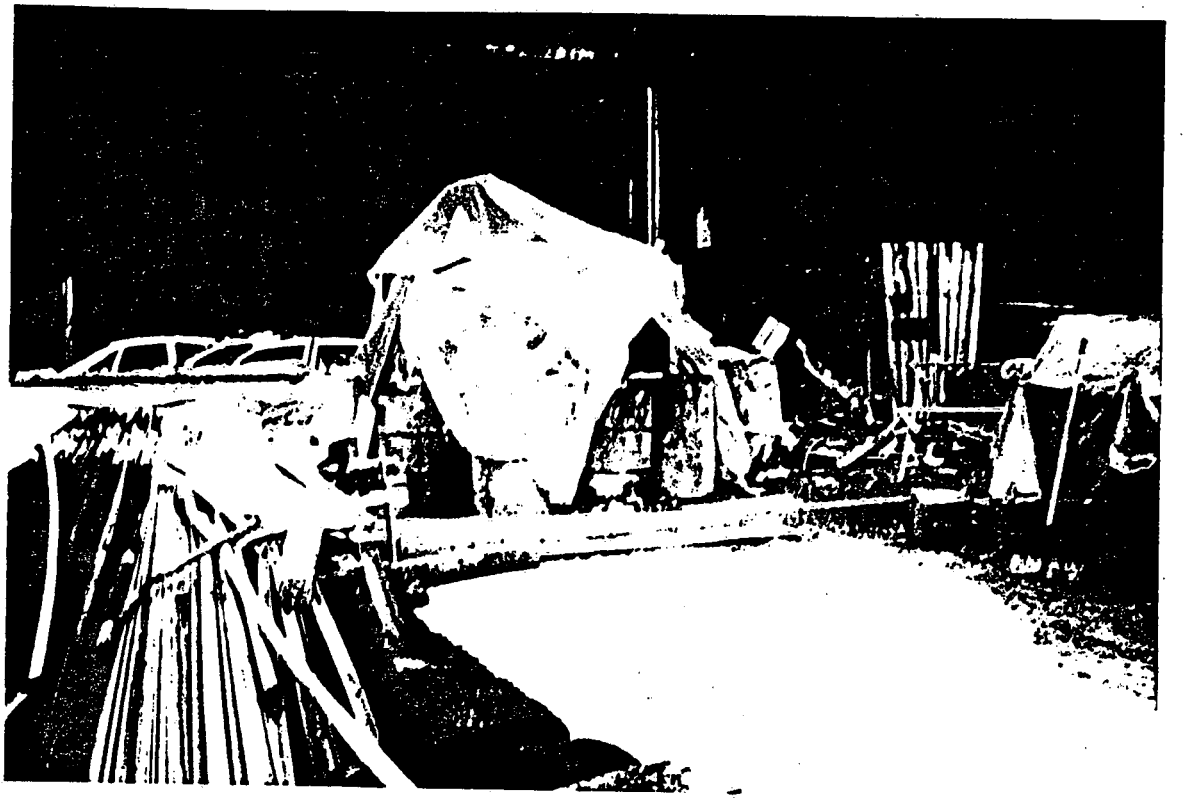

Photo #16: View inside Nelson Galvanizing facility. The left side is currently being used as a parking garage. The right side is used to store hazardous waste.

LAB DATA MANAGEMENT SYSTEM - REGION II
COMPLETED PROJECT APPROVAL

REPORT DATE 98/11/16

PROJECT NUMBER	PROJECT DATE	PROJECT NAME		
876	98/07/23	NELSON GALVANIZING	APPROVED	11/17/98

COMPLETED ANALYSIS REPORT

REPORT DATE: 98/11/16

PROJECT NO: 876

PROJECT NAME: NELSON GALVANIZING

EXPLANATIONS OF REMARK CODES

REMARK CODE	EXPLANATION
B	RESULTS BASED UPON COLONY COUNTS OUTSIDE ACCEPTABLE RANGE
J	ESTIMATED VALUE
K	ACTUAL VALUE KNOWN TO BE LESS THAN VALUE GIVEN
L	ACTUAL VALUE KNOWN TO BE GREATER THAN VALUE GIVEN
N	NO OBSERVABLE EFFECT CONCENTRATION < 0.3%
O	SAMPLED BUT NOT ANALYZED DUE TO LAB ACCIDENT
T	REPORTED VALUE LESS THAN CRITERIA OF DETECTION
U	REPORTING LIMIT

QA/QC REMARK CODES

CODE	EXPLANATION
QD	ACCURACY CHECK SAMPLE ABOVE UPPER ACCEPTANCE LIMIT
QE	ACCURACY CHECK SAMPLE BELOW LOWER ACCEPTANCE LIMIT
QF	PRECISION OF CALIBRATION CURVE LESS THAN ACCEPTANCE CRITERIA
QJ	ESTIMATED DETECTION LIMIT DUE TO INTERFERENCE
QG	CONTINUING CALIBRATION CHECK DOES NOT MEET ACCEPTANCE CRITERIA
QS	SPIKE RECOVERIES ABOVE UPPER ACCEPTANCE LIMIT
QR	SPIKE RECOVERIES BELOW LOWER ACCEPTANCE LIMIT
QP	SAMPLE REPLICATE PRECISION DOES NOT MEET ACCEPTANCE CRITERIA
QH	RECOMMENDED HOLDING TIMES EXCEEDED
QT	TENTATIVELY IDENTIFIED COMPOUND
QM	PRESENCE OF MATERIAL VERIFIED BUT NOT QUANTIFIED
QB	BLANK CONTAMINATED BY ANALYTE IN EXCESS OF ACCEPTANCE CRITERIA
QQ	SAMPLE IMPROPERLY PRESERVED

LOCATION CODES FOR IDENTIFICATION OF SAMPLING POINTS AT INDUSTRIAL / SANITARY FACILITIES, LANDFILLS, HAZARDOUS WASTE SITES.

CODE NUMBERS	SAMPLING POINTS
1001 - 1050	EFFLUENT PIPE NUMBER 001 TO 050
1051 - 1099	OTHER EFFLUENTS SUCH AS COOLING TOWER DISCHARGE, DISCHARGE FROM HOLDING PONDS, ETC...
1100 - 1249	IN PLANT SAMPLES
1435 - 1454	SEPARATE INFLUENT POINTS/WATER SOURCES
15XX	INFLUENT ASSOCIATED WITH EFFLUENT 10XX
2000	BLANK FOR VOLATILE ORGANICS
3000 - 3099	GROUND WATER FROM WELL 01 TO 99
3100 - 3199	SEDIMENT SAMPLE (WATER BOTTOM)
3200 - 3299	SOIL SAMPLE
3300 - 3399	STREAM WATER SAMPLE
3400 - 3499	LAGOON SAMPLE
3500 - 3599	STORAGE TANK SAMPLE
3600 - 3699	LEACHATE SAMPLE
3700 - 3799	OTHER TYPE SAMPLE

COMPLETED ANALYSIS REPORT

REPORT DATE: 98/11/16

PROJECT NO: 876

PROJECT NAME: NELSON GALVANIZING

STATION NO	DATE FROM TO	TIME OF DAY	LABNO	PARNO	PARAMETER NAME	UNITS	CHEMISTRY	VALUE & REMARK	QA/QC REMARK
NONE	98/07/23	1146							
DEPTH: 0000 SUBSTRATE: OTHER									
DESCRIPTION: DRUM #1									
			090110	99920	CORROSIVITY	PH		10.3	
NONE	98/07/23	1151							
DEPTH: 0000 SUBSTRATE: SLUDGE									
DESCRIPTION: DRUM #2									
			090111	99999	SILVER	MG/L	TCLP	1 U	
				99999	ARSENIC	MG/L	TCLP	1 U	
				99999	BARIUM	MG/L	TCLP	20 U	
				99999	CADMIUM	MG/L	TCLP	0.2 U	
				99999	CHROMIUM	MG/L	TCLP	1 U	
				99999	LEAD	MG/L	TCLP	3.1	
				99999	SELENIUM	MG/L	TCLP	0.2 U	
NONE	98/07/23	1153							
DEPTH: 0000 SUBSTRATE: SLUDGE									
DESCRIPTION: DRUM #3									
			090112	99999	SILVER	MG/L	TCLP	1 U	
				99999	ARSENIC	MG/L	TCLP	1 U	
				99999	BARIUM	MG/L	TCLP	20 U	
				99999	CADMIUM	MG/L	TCLP	0.2	
				99999	CHROMIUM	MG/L	TCLP	1 U	
				99999	LEAD	MG/L	TCLP	6.8	
				99999	SELENIUM	MG/L	TCLP	0.2 U	
NONE	98/07/23	1156							
DEPTH: 0000 SUBSTRATE: SLUDGE									
DESCRIPTION: DRUM #4									
			090113	99999	SILVER	MG/L	TCLP	1 U	
				99999	ARSENIC	MG/L	TCLP	1 U	
				99999	BARIUM	MG/L	TCLP	20 U	
				99999	CADMIUM	MG/L	TCLP	0.2 U	
				99999	CHROMIUM	MG/L	TCLP	1 U	
				99999	LEAD	MG/L	TCLP	1 U	
				99999	SELENIUM	MG/L	TCLP	0.2 U	

COMPLETED ANALYSIS REPORT

REPORT DATE: 98/11/16

PROJECT NO: 876

PROJECT NAME: NELSON GALVANIZING

STATION NO	DATE FROM TO	TIME OF DAY	LABNO	PARNO	PARAMETER NAME	UNITS	CHEMISTRY	VALUE & REMARK	QA/QC REMARK
NONE	98/07/23	1159							
DEPTH: 0000 SUBSTRATE: SLUDGE									
DESCRIPTION: DRUM #5 - SLUDGE									
			090114	99999	SILVER	MG/L	TCLP	1 U	
				99999	ARSENIC	MG/L	TCLP	1 U	
				99999	BARIUM	MG/L	TCLP	20 U	
				99999	CADMIUM	MG/L	TCLP	0.2 U	
				99999	CHROMIUM	MG/L	TCLP	1 U	
				99999	LEAD	MG/L	TCLP	1 U	
				99999	SELENIUM	MG/L	TCLP	0.2 U	
NONE	98/07/23	1158							
DEPTH: 0000 SUBSTRATE: OTHER									
DESCRIPTION: DRUM #5 - LIQUID									
			090115	99920	CORROSIVITY	PH		2.2	
NONE	98/07/23	1205							
DEPTH: 0000 SUBSTRATE: SLUDGE									
DESCRIPTION: DRUM #6									
			090116	99999	SILVER	MG/L	TCLP	1 U	
				99999	ARSENIC	MG/L	TCLP	1 U	
				99999	BARIUM	MG/L	TCLP	20 U	
				99999	CADMIUM	MG/L	TCLP	0.2 U	
				99999	CHROMIUM	MG/L	TCLP	1 U	
				99999	LEAD	MG/L	TCLP	5.9	
				99999	SELENIUM	MG/L	TCLP	0.2 U	
NONE	98/07/23	1212							
DEPTH: 0000 SUBSTRATE: AQUEOUS									
DESCRIPTION: ZINC AMMONIUM CHLORIDE TANK - LIQUID									
			090117	99920	CORROSIVITY	PH		4.0	
NONE	98/07/23	1216							
DEPTH: 0000 SUBSTRATE: SLUDGE									
DESCRIPTION: ZINC AMMONIUM CHLORIDE TANK - SLUDGE									
			090118	99999	SILVER	MG/L	TCLP	1 U	
				99999	ARSENIC	MG/L	TCLP	1 U	
				99999	BARIUM	MG/L	TCLP	20 U	
				99999	CADMIUM	MG/L	TCLP	0.2 U	
				99999	CHROMIUM	MG/L	TCLP	1 U	

COMPLETED ANALYSIS REPORT

REPORT DATE: 98/11/16

PROJECT NO: 876

PROJECT NAME: NELSON GALVANIZING

STATION NO	DATE FROM TO	TIME OF DAY	LABNO	PARNO	PARAMETER NAME	UNITS	CHEMISTRY	VALUE & REMARK	QA/QC REMARK
NONE	98/07/23	1230	090118	99999	LEAD	MG/L	TCLP	4.2	
DEPTH: 0000 SUBSTRATE: OTHER				99999	SELENIUM	MG/L	TCLP	0.2 U	
DESCRIPTION: SULFURIC ACID TANK - LIQUID									
			090119	99999	SILVER	MG/L	TCLP	1 U	
				99999	ARSENIC	MG/L	TCLP	1 U	
				99999	BARIUM	MG/L	TCLP	20 U	
				99999	CADMIUM	MG/L	TCLP	1.1	
				99999	CHROMIUM	MG/L	TCLP	7.6	
				99999	LEAD	MG/L	TCLP	1 U	
				99999	SELENIUM	MG/L	TCLP	0.5 U	
				99920	CORROSIVITY	PH		2.8	
NONE	98/07/23	1234	090120	99999	SILVER	MG/L	TCLP	1 U	
DEPTH: 0000 SUBSTRATE: SLUDGE				99999	ARSENIC	MG/L	TCLP	1 U	
DESCRIPTION: SULFURIC ACID TANK - SLUDGE				99999	BARIUM	MG/L	TCLP	20 U	
				99999	CADMIUM	MG/L	TCLP	0.2	
				99999	CHROMIUM	MG/L	TCLP	1 U	
				99999	LEAD	MG/L	TCLP	1 U	
				99999	SELENIUM	MG/L	TCLP	0.2 U	
NONE	98/07/23	1222	090121	99920	CORROSIVITY	PH		13.6	
DEPTH: 0000 SUBSTRATE: OTHER									
DESCRIPTION: SODIUM HYDROXIDE TANK									

***** END OF PROJECT *****

CHAIN OF CUSTODY RECORD

ENVIRONMENTAL PROTECTION AGENCY — REGION II
Environmental Services Division
EDISON, NEW JERSEY 08817

Name of Unit and Address: Nelson Galvanizing
Long Island City, New York

Sample Number	Number of Containers	Description of Samples
[illegible]	1	4-oz. glass jar for Corrosivity - Drum #1
[illegible]	1	4-oz glass jar for TCLP Metals - Drum #2
[illegible]	1	" " " " - Drum #3
[illegible]	1	" " " " - Drum #4
[illegible]	1	" " " " - Drum #5 - Sludge
[illegible]	1	4-oz. glass jar for Corrosivity - Drum #5 - Liquid
[illegible]	1	4-oz glass jar for TCLP Metals - Drum #6
[illegible]	1	4-oz. glass jar for Corrosivity - Cyn. Acid Tank - Sludge
[illegible]	1	4-oz glass jar for TCLP Metals - Cyn. Acid Tank - Sludge
[illegible]	2	4-oz jar for Corrosivity, #2 (other jar for TCLP Metals) Cyn. Acid Tank - Liquid
[illegible]	1	4-oz. glass jar for TCLP Metals - Cyanide Acid Tank - Sludge
[illegible]	1	4-oz. glass jar for Corrosivity - Cyanide Acid Tank - Liquid

Person Assuming Responsibility for Sample: Richard Wiswall Jr. | Time: 1234 | Date: 7/23/87

Sample Number	Relinquished By:	Received By:	Time	Date	Reason for Change of Custody
[illegible]	[illegible]	[illegible]	[illegible]	7/23/87	
Sample Number	Relinquished By:	Received By:	Time	Date	Reason for Change of Custody
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	
Sample Number	Relinquished By:	Received By:	Time	Date	Reason for Change of Custody
Sample Number	Relinquished By:	Received By:	Time	Date	Reason for Change of Custody

ANALYSIS REQUEST

CHEM	BIO.	BACT	OTHER
X			

ENVIRONMENTAL PROTECTION AGENCY
Environmental Services Division — EDISON, N.J.

Date of Request 7/23/92 — Priority ☐ Immediate ☑ Normal ☐ Deferred
Source of Sample(s) Nelson Galvanizing
Sample Number(s) 090110 → 090121
Type of Sample ☐ Water ☐ Sediment ☐ Oil ☐ Air ☐ Other (Specify) Sludge + Corrosive Liquids

PHYSICAL CHARACTERISTICS

- ☐ Turbidity
- ☐ Volatile Solids
- ☐ Total Suspended Solids
- ☐ Volatile Suspended Solids
- ☐ Color
- ☐ Total Solids
- ☐ Dissolved Solids
- ☐ Settleable Solids
- ☐ Specific Gravity
- ☐ Viscosity
- ☐ % Solids
- ☐ Ignitability (RCRA)
- ☑ Corrosivity (RCRA)
- ☐ Other _____

ORGANIC/DEMAND ANALYSES

- ☐ _____ Day BOD
- ☐ COD
- ☐ TOC
- ☐ TOD
- ☐ PCB's
  - ☐ Total
  - ☐ Specific Arocolors
- ☐ Phenol
- ☐ Pesticides
- ☐ Herbicides
- ☐ Long-term O_2 Demand (Carbon)
- ☐ Long-term O_2 Demand (Total)
- ☐ Volatile Acids
- ☐ Oil (Identify)
- ☐ Priority Pollutants
  - ☐ POA
  - ☐ NVOA
  - ☐ Other Major Peaks
- ☐ EP Toxicity
  - ☐ Pesticides
  - ☐ Herbicides
- ☐ Oil & Grease (Quantitate)
- ☐ Specific Compound
  - ☐ Identify _____
  - ☐ Quantitate _____

INORGANIC ANALYSES

- ☐ pH
- ☐ Conductivity
- ☐ Salinity
- ☐ Chloride
- ☐ SO_4
- ☐ SO_3
- ☐ Dissolved S
- ☐ Hardness
  - ☐ Ca
  - ☐ Mg
  - ☐ Total/METHOD
- ☐ Alkalinity
  - ☐ CO_3
  - ☐ Total
  - ☐ HCO_3
- ☐ Chlorine Demand
- ☐ Chlorine Residual
  - ☐ Free
  - ☐ Total
- ☐ Acidity
  - ☐ Free
  - ☐ Total
- ☐ TKN
- ☐ Org N
- ☐ NH_3-N
- ☐ NO_2-N
- ☐ NO_3-N
- ☐ Total P
- ☐ AH-P
- ☐ Ortho-P
- ☐ Metal Scan TCLP Metals
- ☑ EP Toxicity (Metals)
- ☐ Hg (No Mercury)
- ☐ Cd
- ☐ Co
- ☐ Cu
- ☐ Pb
- ☐ Zn
- ☐ Fe
- ☐ Cr
- ☐ As
- ☐ CN-
- ☐ F-
- ☐ Ni
- ☐ Ba
- ☐ Se
- ☐ Ag
- ☐ Asbestos
- ☐ Hexavalent Cr

SENSITIVITY / METHOD

- ☐ COD
  - ☐ High Level (> 50 mg/l)
  - ☐ Low Level (< 50 mg/l)
- ☐ Phosphorous
  - ☐ Total
  - ☐ Dissolved
- ☐ Phenol
  - ☐ 0-1,000 ppb
  - ☐ Above 1,000 ppb
- ☑ Metals (TCLP)
  - ☐ Total
  - ☐ Dissolved
  - ☐ Low Sensitivity
  - ☐ High Sensitivity

MICROBIOLOGY

	MF	MPN	Est. Range
TC	☐	☐	_____
FC	☐	☐	_____
FS	☐	☐	_____

- ☐ Pathogens
  - ☐ Bacterial
  - ☐ Viral
- ☐ Clostridium perfringes
- ☐ Mutagenicity Tests
  - ☐ Ames Test
  - ☐ Viral Enhancement
  - ☐ Other (Specify)
- ☐ ATP

BIOLOGY

- ☐ 24 Hour Bioassay
- ☐ 48 Hour Bioassay
- ☐ 96 Hour Bioassay
- ☐ Chronic Bioassay
- ☐ Benthos ID
- ☐ Fish ID
- ☐ Static
- ☐ Flow-Through
- ☐ Static Replacement
- ☐ Laboratory
- ☐ On Site
- ☐ Identify
- ☐ Quantitate

Requested by _____ Date 7/23/92 — Approved by _____ Date _____

Remarks

Form: FTB RPD-11-82-1

FIELD DATA SHEET

ENVIRONMENTAL PROTECTION AGENCY - Region II, Edison, New Jersey

ENVIRONMENTAL SERVICES DIVISION

Project Name Nelson Galvin Site

Collector(s) Marcel Evers Affiliation USEPA

SAMPLING METHOD (Circle)

Kemmerer Dredge Ponar Manual
Niskin Net Seine Trawl Bucket
Trowel Cream Dipper
Automatic
Other Calvasia

LDMS CODE

DATA BASE CODE E

STA. TYPE CODE F

SUBSTRATE TYPE (Circle) Aqueous Sediment Sludge Oil Biological
Solvent Extract Other (Concr. & Gravel

BOD — Seed Supplied ☐ Yes ☐ No Source:

Sample Preparation (Circle)		Sample Source Type (Circle)	
Container	**Cleaning Procedure**	**Landfill**	**Industrial**
Glass Jar	Detergent Wash	Leachate	Effluent
Plastic Jar	Water Rinse	Drum	Process Stream
Metal	Acid Rinse	Test Well	Holding Pond
POA Vial	**Solvent Rinse:**	Depth:	Drum
Cubitainer	Acetone	Other:	Waste Pile
Acetate Core	Hexane		**Municipal Treatment**
Paper Cap	Methylene Chloride	**Storage Tank**	Influent
Teflon Cap	Other (Specify):	Top	Effluent-Cl
Foil Cap	For Pesticides Analyses	Middle	Effluent-Non Cl
Other		Bottom	Sludge
		Truck	Ambient
Preservation		Drum	Lake
Acid		Tank	Stream
Solvent		Other	Pond
Chemical			Ocean
Wet Ice		**Wells**	Estuary
Dry Ice		Monitoring	
Ambient		Production	
Other		Drinking	
		Private	

Sample Location Description:

Drum #1

Remarks:

Analysis: 1 - 32 oz glass jar for Corrosivity

Samples to:

Bact	Bio	Chem	Other
		X	

Station No.

Sample Depth (Ft.)/Fac. Loc. Code

Lab Number 090110

Type of Sample

Grab	Composite	
	Time	Space
X		

Collection (Ending) Date: Yr 87 Mo 07 Day 21

Ending Time (24 Hr) 1645

Beginning Date: Yr Mo Day

Beginning Time (24 Hr)

pH 11.0

Sample Temp. (°C)

DO (mg/l)

Cond. (uMHOS/CM)

Salinity(‰)

Sample Split

☐ Yes ☐ No

If Yes With Whom?

Receipt ☐ Yes ☑ No

FIELD DATA SHEET

ENVIRONMENTAL PROTECTION AGENCY - Region II, Edison, New Jersey

ENVIRONMENTAL SERVICES DIVISION

Project Name: Nelson Galvanizing

Collector(s): Marcelle Glynn Affiliation: U.S. EPA

SAMPLING METHOD (Circle)

Kemmerer Dredge Ponar Manual
Niskin Net Seine Trawl Bucket
Trowel Cream Dipper
Automatic
Other: Plastic Scoop

LDMS CODE: H

DATA BASE CODE: E

STA. TYPE CODE: F

SUBSTRATE TYPE (Circle) - Aqueous Sediment (Sludge) Oil Biological
Solvent Extract Other ( )

BOD — Seed Supplied ☐ Yes ☐ No Source:

Sample Preparation (Circle)		Sample Source Type (Circle)	
Container	**Cleaning Procedure**	**Landfill**	**Industrial**
Glass Jar	Detergent Wash	Leachate	Effluent
Plastic Jar	Water Rinse	Drum	Process Stream
Metal	Acid Rinse	Test Well	Holding Pond
POA Vial	**Solvent Rinse:**	Depth:	Drum
Cubitainer	Acetone	Other:	Waste Pile
Acetate Core	Hexane		**Municipal Treatment**
Paper Cap	Methylene Chloride	**Storage Tank**	Influent
Teflon Cap	Other (Specify):	Top	Effluent-Cl
Foil Cap	Dry Acetone	Middle	Effluent-Non Cl
Other	Ethanol	Bottom	Sludge
		Truck	Ambient
Preservation		Drum	Lake
Acid		Tank	Stream
Solvent		Other	Pond
Chemical			Ocean
Wet Ice		**Wells**	Estuary
Dry Ice		Monitoring	
Ambient		Production	
Other		Drinking	
		Private	

Sample Location Description:

Drum #2

Remarks: Analysis:
1 - 40 ml glass jar for TCLP Metals

Samples to:

Bact	Bio	Chem	Other
		X	

Station No.

Sample Depth (Ft.)/Fac. Loc. Code

Lab Number: 090111

Type of Sample

Grab	Composite	
	Time	Space
X		

Collection (Ending) Date: Yr 91 Mo 07 Day 21

Ending Time (24 Hr): 1151

Beginning Date: Yr Mo Day

Beginning Time (24 Hr)

pH

Sample Temp. (°C)

DO (mg/l)

Cond. (uMHOS/CM)

Salinity(‰)

Sample Split

☐ Yes ☑ No

If Yes With Whom?

Receipt ☐ Yes ☑ No

FIELD DATA SHEET

ENVIRONMENTAL PROTECTION AGENCY - Region II, Edison, New Jersey

ENVIRONMENTAL SERVICES DIVISION

Project Name: Nelson Galvanizing

Collector(s): Merrill Blyan   Affiliation: U.S. EPA

SAMPLING METHOD (Circle)

Kemmerer Dredge Ponar Manual
Niskin Net Seine Trawl Bucket
Trowel Cream Dipper
Automatic
Other: Plastic Scoop

LDMS CODE: H

DATA BASE CODE: E

STA. TYPE CODE: F

SUBSTRATE TYPE (Circle): Aqueous Sediment Sludge Oil Biological Solvent Extract Other ( )

BOD — Seed Supplied ☐ Yes ☐ No Source:

Sample Preparation (Circle)

Container	Cleaning Procedure
Glass Jar	Detergent Wash
Plastic Jar	Water Rinse
Metal	Acid Rinse
POA Vial	Solvent Rinse:
Cubitainer	Acetone
Acetate Core	Hexane
Paper Cap	Methylene Chloride
Teflon Cap	Other (Specify):
Foil Cap	EPA Precleaned Glassware
Other ______	

Preservation
Acid ______
Solvent ______
Chemical ______
Wet Ice
Dry Ice
Ambient
Other ______

Sample Source Type (Circle)

Landfill	Industrial
Leachate	Effluent
Drum	Process Stream
Test Well	Holding Pond
Depth:	Drum
Other: ______	Waste Pile
	Municipal Treatment
Storage Tank	Influent
Top	Effluent-Cl
Middle	Effluent-Non Cl
Bottom	Sludge
Truck	Ambient
Drum	Lake
Tank	Stream
Other ______	Pond
	Ocean
Wells	Estuary
Monitoring	
Production	
Drinking	
Private	

Sample Location Description:

Drum #3

Remarks: Analysis:
1 8 oz glass jar for TCLP Metals

Samples to:

Bact	Bio	Chem	Other
		X	

Station No.

Sample Depth (Ft.)/Fac. Loc. Code

Lab Number: 090112

Type of Sample

Grab	Composite Time	Composite Space
X		

Collection (Ending) Date

Yr	Mo	Day
[illegible]	[illegible]	[illegible]

Ending Time (24 Hr): 1 1 5 ?

Beginning Date

Yr	Mo	Day

Beginning Time (24 Hr)

pH

Sample Temp. (°C)

DO (mg/l)

Cond. (uMHOS/CM)

Salinity(‰)

Sample Split ☐ Yes ☒ No

If Yes With Whom?

Receipt ☐ Yes ☐ No

FIELD DATA SHEET

ENVIRONMENTAL PROTECTION AGENCY - Region II, Edison, New Jersey

ENVIRONMENTAL SERVICES DIVISION

Project Name: Metico Galvanizing

Collector(s): Merrill Glass Affiliation: LIC EPA

SAMPLING METHOD (Circle)

Kemmerer Dredge Ponar Manual
Niskin Net Seine Trawl Bucket
Trowel Cream Dipper
Automatic
Other: Plastic Scoop

LDMS CODE: 17

DATA BASE CODE: E

STA. TYPE CODE: F

SUBSTRATE TYPE (Circle) Aqueous Sediment (Sludge) Oil Biological
Solvent Extract Other ( )

BOD — Seed Supplied ☐ Yes ☐ No Source:

Sample Preparation (Circle)		Sample Source Type (Circle)	
Container	Cleaning Procedure	Landfill	Industrial
Glass Jar	Detergent Wash	Leachate	Effluent
Plastic Jar	Water Rinse	Drum	Process Stream
Metal	Acid Rinse	Test Well	Holding Pond
POA Vial	Solvent Rinse:	Depth:	Drum
Cubitainer	Acetone	Other:	Waste Pile
Acetate Core	Hexane		Municipal Treatment
Paper Cap	Methylene Chloride	Storage Tank	Influent
Teflon Cap	Other (Specify):	Top	Effluent-Cl
Foil Cap	EST Provided	Middle	Effluent-Non Cl
Other	Glassware	Bottom	Sludge
Preservation		Truck	Ambient
Acid		Drum	Lake
Solvent		Tank	Stream
Chemical		Other	Pond
Wet Ice		Wells	Ocean
Dry Ice		Monitoring	Estuary
Ambient		Production	
Other		Drinking	
		Private	

Sample Location Description:

Drum #4

Remarks:

Analysis:
1 - 32 oz glass jar for TCLP Metals

Samples to:

Bact	Bio	Chem	Other
		X	

Station No.:

Sample Depth (Ft.)/Fac. Loc. Code:

Lab Number: 090113

Type of Sample

Grab	Composite	
	Time	Space
X		

Collection (Ending) Date

Yr	Mo	Day
93	03	31

Ending Time (24 Hr): 1556

Beginning Date

Yr	Mo	Day

Beginning Time (24 Hr):

pH:

Sample Temp. (°C):

DO (mg/l):

Cond. (uMHOS/CM):

Salinity(‰):

Sample Split

☐ Yes ☑ No

If Yes With Whom?

Receipt ☐ Yes ☑ No

FIELD DATA SHEET

ENVIRONMENTAL PROTECTION AGENCY - Region II, Edison, New Jersey

ENVIRONMENTAL SERVICES DIVISION

Project Name Nelson Galvanizing

Collector(s) Mitchell Elmo Affiliation USEPA

SAMPLING METHOD (Circle)

Kemmerer Dredge Ponar Manual
Niskin Net Seine Trawl Bucket
Trowel Cream Dipper
Automatic
Other Plastic Scoop

LDMS CODE N

DATA BASE CODE E

STA. TYPE CODE F

SUBSTRATE TYPE (Circle) Aqueous Sediment (Sludge) Oil Biological
Solvent Extract Other ( )

BOD — Seed Supplied ☐ Yes ☐ No Source:

Sample Preparation (Circle)		Sample Source Type (Circle)	
Container	Cleaning Procedure	Landfill	Industrial
Glass Jar	Detergent Wash	Leachate	Effluent
Plastic Jar	Water Rinse	Drum	Process Stream
Metal	Acid Rinse	Test Well	Holding Pond
POA Vial	Solvent Rinse:	Depth:	Drum
Cubitainer	Acetone	Other:	Waste Pile
Acetate Core	Hexane		Municipal Treatment
Paper Cap	Methylene Chloride	Storage Tank	Influent
Teflon Cap	Other (Specify):	Top	Effluent-Cl
Foil Cap	Eq. Rinsate	Middle	Effluent-Non Cl
Other	plastware	Bottom	Sludge
		Truck	Ambient
Preservation		Drum	Lake
Acid		Tank	Stream
Solvent		Other	Pond
Chemical			Ocean
Wet Ice		Wells	Estuary
Dry Ice		Monitoring	
Ambient		Production	
Other		Drinking	
		Private	

Sample Location Description:

Drum #5 - Sludge

Remarks: Analysis

1 8oz. glass jar for TCLP Metals

Samples to:

Bact	Bio	Chem	Other
		X	

Station No.

Sample Depth (Ft.)/Fac. Loc. Code

Lab Number 090114

Type of Sample

Grab	Composite	
	Time	Space
X		

Collection (Ending) Date

Yr	Mo	Day
94	03	17

Ending Time (24 Hr)

Beginning Date

Yr	Mo	Day

Beginning Time (24 Hr)

pH

Sample Temp. (°C)

DO (mg/l)

Cond. (uMHOS/CM)

Salinity(‰)

Sample Split

☐ Yes ☐ No

If Yes With Whom?

Receipt ☐ Yes ☐ No

FIELD DATA SHEET

ENVIRONMENTAL PROTECTION AGENCY - Region II, Edison, New Jersey

ENVIRONMENTAL SERVICES DIVISION

Project Name: Newton Creek 2nd

Collector(s): Mitch Olyan Affiliation: USEPA

SAMPLING METHOD (Circle)

Kemmerer Dredge Ponar Manual
Niskin Net Seine Trawl Bucket
Trowel Cream Dipper
Automatic
Other: Plastic Scoop

LDMS CODE: H

DATA BASE CODE: E

STA. TYPE CODE: F

SUBSTRATE TYPE (Circle) Aqueous Sediment Sludge Oil Biological
Solvent Extract Other (Composite)

BOD — Seed Supplied ☐ Yes ☐ No Source:

Sample Preparation (Circle)		Sample Source Type (Circle)	
Container	Cleaning Procedure	Landfill	Industrial
Glass Jar	Detergent Wash	Leachate	Effluent
Plastic Jar	Water Rinse	Drum	Process Stream
Metal	Acid Rinse	Test Well	Holding Pond
POA Vial	Solvent Rinse:	Depth:	Drum
Cubitainer	Acetone	Other:	Waste Pile
Acetate Core	Hexane		Municipal Treatment
Paper Cap	Methylene Chloride	Storage Tank	Influent
Teflon Cap	Other (Specify):	Top	Effluent-Cl
Foil Cap	EPA Protocol Glassware	Middle	Effluent-Non Cl
Other		Bottom	Sludge
Preservation		Truck	Ambient
Acid		Drum	Lake
Solvent		Tank	Stream
Chemical		Other	Pond
Wet Ice		Wells	Ocean
Dry Ice		Monitoring	Estuary
Ambient		Production	
Other		Drinking	
		Private	

Sample Location Description:

Drum #5 - Liquid

Remarks: Analysis: 1 4-oz. glass jar for Composite

Samples to: Bact | Bio | Chem (X) | Other

Station No.

Sample Depth (Ft.)/Fac. Loc. Code

Lab Number: 090115

Type of Sample: Grab (X) Composite: Time | Space

Collection (Ending) Date: Yr 91 Mo 05 Day 21

Ending Time (24 Hr): 15:30

Beginning Date: Yr | Mo | Day

Beginning Time (24 Hr)

pH: 7.5

Sample Temp. (°C)

DO (mg/l)

Cond. (uMHOS/CM)

Salinity(‰)

Sample Split: ☐ Yes ☒ No

If Yes With Whom?

Receipt ☐ Yes ☒ No

FIELD DATA SHEET

ENVIRONMENTAL PROTECTION AGENCY - Region II, Edison, New Jersey

ENVIRONMENTAL SERVICES DIVISION

Project Name: Nelson Galvanizing

Collector(s): Merrell Clyne Affiliation: U.S. EPA

SAMPLING METHOD (Circle)

Kemmerer Dredge Ponar Manual
Niskin Net Seine Trawl Bucket
Trowel Cream Dipper
Automatic
Other: Plastic Scoop

LDMS CODE: A

DATA BASE CODE: E

STA. TYPE CODE: F

SUBSTRATE TYPE (Circle) Aqueous Sediment (Sludge) Oil Biological
Solvent Extract Other ( )

BOD — Seed Supplied ☐ Yes ☐ No Source:

Sample Preparation (Circle)		Sample Source Type (Circle)	
Container	**Cleaning Procedure**	**Landfill**	**Industrial**
(Glass Jar)	Detergent Wash	Leachate	Effluent
Plastic Jar	Water Rinse	Drum	Process Stream
Metal	Acid Rinse	Test Well	Holding Pond
POA Vial	Solvent Rinse:	Depth:	Drum
Cubitainer	Acetone	Other:	Waste Pile
Acetate Core	Hexane		Municipal Treatment
Paper Cap	Methylene Chloride	Storage Tank	Influent
(Teflon Cap)	Other (Specify):	Top	Effluent-Cl
Foil Cap	EDTA Preserved	Middle	Effluent-Non Cl
Other	Wastewater	Bottom	Sludge
		Truck	Ambient
Preservation		Drum	Lake
Acid		Tank	Stream
Solvent		Other	Pond
Chemical			Ocean
(Wet Ice)		**Wells**	Estuary
Dry Ice		Monitoring	
Ambient		Production	
Other		Drinking	
		Private	

Sample Location Description:

Drum #6

Remarks: Analysis:
1-32 oz glass jar for TCLP Metals

Samples to: Bact | Bio | Chem (X) | Other

Station No.

Sample Depth (Ft.)/Fac. Loc. Code

Lab Number: 090116

Type of Sample: Grab (X) | Composite: Time | Space

Collection (Ending) Date: Yr 95 | Mo 07 | Day 21

Ending Time (24 Hr): 1535

Beginning Date: Yr | Mo | Day

Beginning Time (24 Hr)

pH

Sample Temp. (°C)

DO (mg/l)

Cond. (uMHOS/CM)

Salinity(‰)

Sample Split
☐ Yes ☐ No

If Yes With Whom?

Receipt ☐ Yes ☐ No

FIELD DATA SHEET

ENVIRONMENTAL PROTECTION AGENCY - Region II, Edison, New Jersey

ENVIRONMENTAL SERVICES DIVISION

Project Name: Nelson Galvanizing

Collector(s): Merrell, Glynn Affiliation: U.S. EPA

SAMPLING METHOD (Circle)

Kemmerer Dredge Ponar Manual
Niskin Net Seine Trawl Bucket
Trowel Cream Dipper
Automatic
Other: Colinwood

LDMS CODE: N

DATA BASE CODE: E

STA. TYPE CODE: F

SUBSTRATE TYPE (Circle) (Aqueous) Sediment Sludge Oil Biological
Solvent Extract Other ( )

BOD — Seed Supplied ☐ Yes ☐ No Source:

Sample Preparation (Circle)		Sample Source Type (Circle)	
Container	Cleaning Procedure	Landfill	Industrial
(Glass Jar)	Detergent Wash	Leachate	Effluent
Plastic Jar	Water Rinse	Drum	Process Stream
Metal	Acid Rinse	Test Well	Holding Pond
POA Vial	Solvent Rinse:	Depth:	Drum
Cubitainer	Acetone	Other:	Waste Pile
Acetate Core	Hexane		Municipal Treatment
Paper Cap	Methylene Chloride	Storage Tank	Influent
Teflon Cap	Other (Specify):	Top	Effluent-Cl
Foil Cap	For Pesticides Analysis	Middle	Effluent-Non Cl
Other		Bottom	Sludge
Preservation		Truck	Ambient
Acid		Drum	Lake
Solvent		Tank	Stream
Chemical		Other	Pond
(Wet Ice)		Wells	Ocean
Dry Ice		Monitoring	Estuary
Ambient		Production	
Other		Drinking	
		Private	

Sample Location Description:

Zinc Ammonium Chloride Tank - Liquid

Remarks:

Analysis:

1 4-oz. Wide jar for Corrosivity

Samples to:

Bact	Bio	Chem	Other
		X	

Station No.:

Sample Depth (Ft.)/Fac. Loc. Code:

Lab Number: 090117

Type of Sample

Grab	Composite	
	Time	Space
X		

Collection (Ending) Date

Yr	Mo	Day
97	07	31

Ending Time (24 Hr): 1200

Beginning Date

Yr	Mo	Day

Beginning Time (24 Hr):

pH: 4.5

Sample Temp. (°C):

DO (mg/l):

Cond. (uMHOS/CM):

Salinity(‰):

Sample Split

☐ Yes ☑ No

If Yes With Whom?

Receipt ☐ Yes ☐ No

FIELD DATA SHEET

ENVIRONMENTAL PROTECTION AGENCY - Region II, Edison, New Jersey

ENVIRONMENTAL SERVICES DIVISION

Project Name: Nelson Galvanizing

Collector(s): Marvin Glass Affiliation: U.S. EPA

SAMPLING METHOD (Circle)

Kemmerer Dredge Ponar Manual
Niskin Net Seine Trawl Bucket
Trowel Cream Dipper
Automatic
Other: Rod + Clamp

LDMS CODE: H

DATA BASE CODE: F

STA. TYPE CODE: F

SUBSTRATE TYPE (Circle) Aqueous Sediment (Sludge) Oil Biological
Solvent Extract Other ( )

BOD — Seed Supplied ☐ Yes ☐ No Source:

Sample Preparation (Circle)		Sample Source Type (Circle)	
Container	Cleaning Procedure	Landfill	Industrial
Glass Jar	Detergent Wash	Leachate	Effluent
Plastic Jar	Water Rinse	Drum	Process Stream
Metal	Acid Rinse	Test Well	Holding Pond
POA Vial	Solvent Rinse:	Depth:	Drum
Cubitainer	Acetone	Other:	Waste Pile
Acetate Core	Hexane		Municipal Treatment
Paper Cap	Methylene Chloride	Storage Tank	Influent
Teflon Cap	Other (Specify):	Top	Effluent-Cl
Foil Cap	EP Procedure	Middle	Effluent-Non Cl
Other	Glassware	Bottom	Sludge
Preservation		Truck	Ambient
Acid		Drum	Lake
Solvent		Tank	Stream
Chemical		Other	Pond
Wet Ice		Wells	Ocean
Dry Ice		Monitoring	Estuary
Ambient		Production	
Other		Drinking	
		Private	

Sample Location Description:

Zinc Ammonium Chloride - Tank - Sludge

Remarks: Analysis: Zinc Ammonium Chloride - TCLP Metals

Samples to:

Bact	Bio	Chem	Other
		X	

Station No.

Sample Depth (Ft.)/Fac. Loc. Code

Lab Number: 090118

Type of Sample

Grab	Composite	
	Time	Space
X		

Collection (Ending) Date

Yr	Mo	Day
87	07	13

Ending Time (24 Hr): 1215

Beginning Date

Yr	Mo	Day

Beginning Time (24 Hr)

pH

Sample Temp. (°C)

DO (mg/l)

Cond. (uMHOS/CM)

Salinity(‰)

Sample Split

☐ Yes ☒ No

If Yes With Whom?

Receipt ☐ Yes ☐ No

FIELD DATA SHEET

ENVIRONMENTAL PROTECTION AGENCY - Region II, Edison, New Jersey

ENVIRONMENTAL SERVICES DIVISION

Project Name: Nelson Galvanizing

Collector(s): Morrell, Glynn Affiliation: U.S. EPA

SAMPLING METHOD (Circle)

Kemmerer Dredge Ponar Manual
Niskin Net Seine Trawl Bucket
Trowel Cream Dipper
Automatic
Other: Colinaka

LDMS CODE: N

DATA BASE CODE: E

STA. TYPE CODE: F

SUBSTRATE TYPE (Circle) Aqueous Sediment Sludge Oil Biological
Solvent Extract Other (Corrosive-Acid)

BOD — Seed Supplied ☐ Yes ☐ No Source:

Sample Preparation (Circle)		Sample Source Type (Circle)	
Container	Cleaning Procedure	Landfill	Industrial
Glass Jar	Detergent Wash	Leachate	Effluent
Plastic Jar	Water Rinse	Drum	Process Stream
Metal	Acid Rinse	Test Well	Holding Pond
POA Vial	Solvent Rinse:	Depth:	Drum
Cubitainer	Acetone	Other:	Waste Pile
Acetate Core	Hexane		Municipal Treatment
Paper Cap	Methylene Chloride	Storage Tank	Influent
Teflon Cap	Other (Specify):	Top	Effluent-Cl
Foil Cap	EP Pesticide	Middle	Effluent-Non Cl
Other	Glassware	Bottom	Sludge
Preservation		Truck	Ambient
Acid		Drum	Lake
Solvent		Tank	Stream
Chemical		Other	Pond
Wet Ice		Wells	Ocean
Dry Ice		Monitoring	Estuary
Ambient		Production	
Other		Drinking	
		Private	

Sample Location Description:

Sulfuric Acid Tank - Liquid

Remarks:

Analysis:
1 4oz glass jar for Corrosivity
1 4oz glass jar for TCLP Metals

Samples to:

Bact	Bio	Chem	Other
		X	

Station No.:

Sample Depth (Ft.)/Fac. Loc. Code:

Lab Number: 090119

Type of Sample

Grab	Composite	
	Time	Space
X		

Collection (Ending) Date

Yr	Mo	Day
91	07	11

Ending Time (24 Hr): 1230

Beginning Date

Yr	Mo	Day

Beginning Time (24 Hr):

pH: 2.5

Sample Temp. (°C):

DO (mg/l):

Cond. (uMHOS/CM):

Salinity(‰):

Sample Split

☐ Yes ☐ No

If Yes With Whom?

Receipt ☐ Yes ☐ No

FIELD DATA SHEET

ENVIRONMENTAL PROTECTION AGENCY - Region II, Edison, New Jersey

ENVIRONMENTAL SERVICES DIVISION

Project Name Nelson Galvanizing

Collector(s) Russell Glass Affiliation U.S. EPA

SAMPLING METHOD (Circle)

Kemmerer Dredge Ponar Manual
Niskin Net Seine Trawl Bucket
Trowel Cream Dipper
Automatic
Other Rod + Clamp

LDMS CODE N

DATA BASE CODE E

STA. TYPE CODE F

SUBSTRATE TYPE (Circle) Aqueous Sediment (Sludge) Oil Biological
Solvent Extract Other ( )

BOD — Seed Supplied ☐ Yes ☐ No Source:

Sample Preparation (Circle)		Sample Source Type (Circle)	
Container	Cleaning Procedure	Landfill	Industrial
Glass Jar	Detergent Wash	Leachate	Effluent
Plastic Jar	Water Rinse	Drum	Process Stream
Metal	Acid Rinse	Test Well	Holding Pond
POA Vial	Solvent Rinse:	Depth:	Drum
Cubitainer	Acetone	Other:	Waste Pile
Acetate Core	Hexane		Municipal Treatment
Paper Cap	Methylene Chloride	Storage Tank	Influent
Teflon Cap	Other (Specify):	Top	Effluent-Cl
Foil Cap	EDTA Rinse	Middle	Effluent-Non Cl
Other	Distilled H2O	Bottom	Sludge
Preservation		Truck	Ambient
Acid		Drum	Lake
Solvent		Tank	Stream
Chemical		Other	Pond
Wet Ice		Wells	Ocean
Dry Ice		Monitoring	Estuary
Ambient		Production	
Other		Drinking	
		Private	

Sample Location Description:

Sulfuric Acid Tank - Sludge

Remarks:

Analysis:
Priority Pollutants - TCLP Metals

Samples to:

Bact	Bio	Chem	Other
		X	

Station No.

Sample Depth (Ft.)/Fac. Loc. Code

Lab Number

090120

Type of Sample

Grab	Composite	
	Time	Space
X		

Collection (Ending) Date

Yr	Mo	Day
91	05	29

Ending Time (24 Hr)

1200

Beginning Date

Yr	Mo	Day

Beginning Time (24 Hr)

pH

Sample Temp. (°C)

DO (mg/l)

Cond. (uMHOS/CM)

Salinity(‰)

Sample Split

☐ Yes ☑ No

If Yes With Whom?

Receipt ☐ Yes ☑ No

FIELD DATA SHEET

ENVIRONMENTAL PROTECTION AGENCY - Region II, Edison, New Jersey

ENVIRONMENTAL SERVICES DIVISION

Project Name: Nelco Calumet

Collector(s): Matt Olma Affiliation: EPA

SAMPLING METHOD (Circle)

Kemmerer Dredge Ponar Manual
Niskin Net Seine Trawl Bucket
Trowel Cream Dipper
Automatic
Other: Calibrate

LDMS CODE: H

DATA BASE CODE: E F

STA. TYPE CODE:

SUBSTRATE TYPE (Circle): Aqueous Sediment Sludge Oil Biological
Solvent Extract Other (Corrosive - Caustic)

BOD — Seed Supplied ☐ Yes ☐ No Source:

Sample Preparation (Circle)		Sample Source Type (Circle)	
Container	Cleaning Procedure	Landfill	Industrial
Glass Jar	Detergent Wash	Leachate	Effluent
Plastic Jar	Water Rinse	Drum	Process Stream
Metal	Acid Rinse	Test Well	Holding Pond
POA Vial	Solvent Rinse:	Depth:	Drum
Cubitainer	Acetone	Other:	Waste Pile
Acetate Core	Hexane		Municipal Treatment
Paper Cap	Methylene Chloride	Storage Tank	Influent
Teflon Cap	Other (Specify):	Top	Effluent-Cl
Foil Cap	ESS Procedure	Middle	Effluent-Non Cl
Other	Hardware	Bottom	Sludge
Preservation		Truck	Ambient
Acid		Drum	Lake
Solvent		Tank	Stream
Chemical		Other	Pond
Wet Ice		Wells	Ocean
Dry Ice		Monitoring	Estuary
Ambient		Production	
Other		Drinking	
		Private	

Sample Location Description:

Sodium Hydroxide Tank

Remarks: Analysis

Samples to: Bact | Bio | Chem (X) | Other

Station No.

Sample Depth (Ft.)/Fac. Loc. Code

Lab Number: 090121

Type of Sample: Grab (X) Composite: Time | Space

Collection (Ending) Date: Yr 92 Mo 07 Day 21

Ending Time (24 Hr): 1222

Beginning Date: Yr | Mo | Day

Beginning Time (24 Hr)

pH: 13.0

Sample Temp. (°C)

DO (mg/l)

Cond. (uMHOS/CM)

Salinity(‰)

Sample Split

☐ Yes ☑ No

If Yes With Whom?

Receipt ☐ Yes ☑ No

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

Attachment III

SEP 24 1998

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. John Sweeney, President
Nelson Galvanizing, Inc.
11-02 Broadway
Long Island City, N.Y. 11106

RE: RCRA § 3007 Information Request
Nelson Galvanizing, Inc.
NYD001229350

Dear Mr. Sweeney:

The U.S. Environmental Protection Agency (EPA) is charged with the protection of health and the environment under the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Part 6901 et seq.

Pursuant to the provisions of Section 3007 of RCRA, 42 U.S.C. Section 6927, EPA hereby requires that you provide the information requested in Attachment I to this letter using the instructions and definitions included in Attachment II. This information is required to evaluate the compliance of Nelson Galvanizing, Inc.

Please provide the information requested no later than thirty (30) calendar days from receipt of this letter. Requests for additional time must be made within ten (10) calendar days of receipt of this letter, and must be justified. The response must be signed by a responsible official or agent of your company.

The response to the request in the attachment must be addressed to the following:

Philip Clappin, Enforcement Officer
RCRA Compliance Branch
U.S. Environmental Protection
Agency - Region 2
290 Broadway 22nd Floor
New York, New York 10007-1866

You may, if you so desire, assert a business confidentiality claim covering all or part of the information herein requested. The claim may be asserted by placing on (or attaching to) the information at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret", "proprietary", or "company confidential". The claim should set forth the information requested in 40 Code of Federal Regulations (40 C.F.R.) Part 2.204(e)(4). Information covered by such a claim will be disclosed by EPA only to the extent permitted by, and by means of procedures set forth in, 40 C.F.R. Part 2. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you.

This information request is not subject to the requirements of the Paperwork Reduction Act (PRA), as amended, 44 U.S.C. Part 3501 et seq.

Failure to respond in full to this requirement is a violation of RCRA and may result in federal enforcement action pursuant to Section 3008 of RCRA, 42 U.S.C. Section 6928.

If you have any questions about this letter, please call Mr. Philip Clappin, of the Senior Enforcement Team, at (212) 637-4129. All inquiries from attorneys must be directed to Mr. William K. Sawyer, Esq., of the Office of Regional Counsel, at (212) 637-3196.

Sincerely yours,

Kenneth S. Stahl

Walter Mugdan, Esq., Acting Director
Division of Enforcement and Compliance Assistance (DECA)

cc: Salvatore Carlomagno, Supervisor
Hazardous Waste Compliance Unit
New York State Department of Environmental Conservation

Attachments

bcc: Philip Clappin, RCB
Philip Flax, RCB
William K. Sawyer, ORC
Paul Kahn, ERRD
RCRA files

ATTACHMENT I

NELSON GALVANIZING, INC.
11-02 BROADWAY
LONG ISLAND CITY, N.Y., 11106

A RCRA Compliance Evaluation Inspection (CEI) of Nelson Galvanizing, Inc. hazardous waste generation, storage areas, and record keeping, was performed on June 3, 1998 by two EPA authorized representatives. A subsequent sampling visit by RCRA Compliance Branch (RCB) and Monitoring and Assessment Branch (MAB) was conducted on July 23, 1998. As a follow up of the inspection and sampling visit, the following information is requested:

1. At the time of the inspection and sampling visit, EPA representatives observed, present at your facility, approximately sixty (60) fifty-five gallon drums of what you indicated was iron sulfate. You indicated that this iron sulfate was a waste. Please send to EPA information on the process that generated the iron sulfate waste. Please indicate and document how long you have stored the iron sulfate at your facility.

2. At the time of the inspection and sampling visit, EPA representatives observed, present at your facility, three (3) tanks labeled and/or indicated by you as containing the following materials: sulfuric acid, sodium hydroxide, and zinc ammonium chloride. Please explain the process in which these chemicals were used. Please explain how these chemicals are presently used. Please explain and document the last time you used these chemicals. Please explain and document the last time you used these chemicals as they were intended to be used, as part of a commercial galvanizing process.

3. Have you made hazardous waste determinations on the iron sulfate wastes? Have you made hazardous waste determinations for the other chemicals currently being stored at your facility. Please submit any and all information, including but not limited to sampling procedures, sampling dates, dates of analyses, that were used to make those determinations. Please specify when you made the determinations.

4. Why are you storing or continuing to store iron sulfate wastes and the chemicals in the sodium hydroxide, sulfuric acid, and zinc ammonium chloride tanks? How long have you stored the iron sulfate wastes and the other chemicals that are currently present in drums and tanks at your facility?

5. Please specify the date that these materials, including the sulfuric acid, sodium hydroxide, and zinc ammonium chloride were last used. Please indicate how they were used and for what purpose they were used. Were they used commercially? When was the last time the chemicals in the tanks were used commercially? Do you have any intention of commercially using the chemicals stored in tanks at your facility?

6. It is EPA's understanding that Nelson Galvanizing has not recently been commercially active. Please specify the last time commercial activity and/or any galvanizing took place at the facility. Please document the activity and date.

7. What is Nelson Galvanizing's current economic status? Does your corporation, Nelson Galvanizing, remain intact? Do you intend to reopen the facility at any time? If so when do you plan to reopen? What type of business is currently operating at the Nelson Galvanizing facility?

8. At the time of the June 3, 1998 inspection you indicated that the sulfuric acid had been drained from an on-site above ground tank and sold, along with the tank, to your competitor. Please document and provide the date of this purchase. Was iron sulfate generated at this time? If yes, how much, how was it managed, and where was it managed? Please be specific and detailed and document where possible.

ATTACHMENT II

INSTRUCTIONS AND DEFINITIONS

In responding to this Request for Information, apply the following instructions and definitions:

1. The signatory should be an officer or agent who is authorized to respond on behalf of the company or facility. The signatory must complete and return the attached Certification of Answers to Responses to Request for Information.

2. A complete response must be made to each individual question in this request for information. Identify each answer with the number of the question to which it is addressed.

3. In preparing your response to each question, consult with all present and former employees and agents of the company or facility who you have reason to believe may be familiar with the matter to which the question pertains.

4. In answering each question, identify all contributing sources of information.

5. If you are unable to answer a question in a detailed and complete manner or if you are unable to provide any of the information or documents requested, indicate the reason for your inability to do so. If you have reason to believe that there is an individual who may be able to provide more detail or documentation in response to any question, state that person's name and last known address and phone number and the reasons for your belief.

6. If you cannot provide a precise answer to any question, please approximate and state the reason for your inability to be specific.

7. For each document produced in response to this Request for Information, indicate on the document or in some other reasonable manner, the number of the question to which it applies.

8. If anything is deleted from a document produced in response to this Request for Information, state the reason for and the subject matter of the deletion.

9. If a document is requested but is not available, state the reason for its unavailability. In addition, identify any such document by author, date, subject matter, number of pages, and all recipients and their addresses.

10. The company and/or facility for the purposes of this Request for Information is Nelson Galvanizing, Inc., 11-02 Broadway N.Y. 11106.

11. A generator of hazardous waste for the purposes of this Request for Information shall be defined as any person, by site, whose act or process produces hazardous waste or whose act first causes a hazardous waste to become subject to regulation.

12. Solid waste shall be defined for the purposes of this Request for Information as that term is defined in Section 1004(27) of RCRA, as amended, 42 U.S.C. Part 6903(27).

13. Hazardous waste shall be defined for the purposes of this Request for Information as that term is defined in Section 1004(5) of RCRA, as amended, 42 U.S.C. Part 6903(5).

14. Manage shall be defined for the purposes of this Request for Information as to market, generate, treat, store, dispose or otherwise handle.

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document
(response to EPA Request for Information) and all documents submitted herewith, that the submitted information is true, accurate and complete, and that all documents submitted herewith are complete and authentic, unless otherwise indicated. I am
aware that there are significant penalties for submitting false information.

_____
NAME (print or type)

_____
TITLE (print or type)

_____
SIGNATURE

_____
DATE

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

DEC 30 1998

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. John Sweeney, President
Nelson Galvanizing, Inc.
11-02 Broadway
Long Island City, N.Y. 11106

RE: RCRA § 3007 Information Request
Nelson Galvanizing, Inc.
NYD001229350

Dear Mr. Sweeney:

The U.S. Environmental Protection Agency (EPA) is charged with the protection of health and the environment under the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Part 6901 et seq.

Pursuant to the provisions of Section 3007 of RCRA, 42 U.S.C. Section 6927, EPA hereby requires that you provide the information requested in Attachment I to this letter using the instructions and definitions included in Attachment II. This information is further required to evaluate the compliance of Nelson Galvanizing, Inc. Attachment III, the September 24, 1998 Information Request Letter, and Attachment IV, the Consent Agreement Consent Order (CACO) signed into effect on October 26, 1994 are also enclosed.

Please provide the information requested no later than thirty (30) calendar days from receipt of this letter. Requests for additional time must be made within ten (10) calendar days of receipt of this letter, and must be justified. The response must be signed by a responsible official or agent of your company.

You may, if you so desire, assert a business confidentiality claim covering all or part of the information herein requested. The claim may be asserted by placing on (or attaching to) the information at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret", "proprietary", or "company confidential". The claim should set forth the information requested in 40 Code of Federal Regulations (40 C.F.R.) Part 2.204(e)(4). Information covered by such a claim will be disclosed by EPA only to the extent permitted by, and by means of procedures set forth in, 40 C.F.R. Part 2. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you.

This information request is not subject to the requirements of the Paperwork Reduction Act (PRA), as amended, 44 U.S.C. Part 3501 et seq.

The response to the request in the attachment must be addressed to the following:

Philip Clappin, Enforcement Officer
RCRA Compliance Branch
U.S. Environmental Protection
Agency - Region 2
290 Broadway 22nd Floor
New York, New York 10007-1866

Failure to respond in full to this requirement is a violation of RCRA and may result in federal enforcement action pursuant to Section 3008 of RCRA, 42 U.S.C. Section 6928.

If you have any questions about this letter, please call Mr. Philip Clappin, of the RCRA Senior Enforcement Team, at (212) 637-4129.

Sincerely yours,

George Pavlou, Acting Director
Division of Enforcement and Compliance Assistance (DECA)

cc: Salvatore Carlomagno, Chief
Hazardous Waste Compliance Unit
New York State Department of Environmental Conservation

Enclosures

ATTACHMENT I

NELSON GALVANIZING, INC.
11-02 BROADWAY
LONG ISLAND CITY, N.Y., 11106

A RCRA Compliance Evaluation Inspection (CEI) of Nelson Galvanizing, Inc. hazardous waste generation, storage areas, and record keeping, was performed on June 3, 1998 by two EPA authorized representatives. A subsequent sampling visit by members of the RCRA Compliance Branch (RCB) and Monitoring and Assessment Branch (MAB) was conducted on July 23, 1998.

On September 24, 1998, EPA sent a RCRA § 3007 Information Request Letter to you (Attachment III). This letter requested that you submit further information in order to assess your facility's compliance with the hazardous waste rules and regulations as well as the requirements of the CACO signed into effect October 26, 1994 (Attachment IV). Your response to the information request was due to EPA on October 28, 1998, 30 days after you received that letter. To date EPA has not received your response and, as a result, you are and continue to remain in violation of RCRA § 3007 as long as this situation is left unchanged.

In addition to the responses to the questions posed in the September 24, 1998 RCRA § 3007 Information Request Letter that have been, are, and continue to be overdue, EPA requests the following information:

1. A dated copy of "the notice you agreed to place in the deed to the property on which the facility resides, using procedures set forth in 40 C.F.R. § 265.119, indicating that the land has been used to manage hazardous waste and that contamination may remain" (CAPO; page 6, paragraph 2).

2. A dated copy of the signed certification indicating that the deed notice has been recorded as specified in 40 C.F.R. § 265.119(b)(1). A copy of this certification should have been sent to the Regional Administrator (RA). EPA has no record of such a document. Please, send a dated copy of this certification document which is required as part of the procedures set forth in 40 C.F.R. § 265.119 which you agreed to follow as part of the CAPO (page 6, paragraph 2).

ATTACHMENT II

INSTRUCTIONS AND DEFINITIONS

In responding to this Request for Information, apply the following instructions and definitions:

1. The signatory should be an officer or agent who is authorized to respond on behalf of the company or facility. The signatory must complete and return the attached Certification of Answers to Responses to Request for Information.

2. A complete response must be made to each individual question in this request for information. Identify each answer with the number of the question to which it is addressed.

3. In preparing your response to each question, consult with all present and former employees and agents of the company or facility who you have reason to believe may be familiar with the matter to which the question pertains.

4. In answering each question, identify all contributing sources of information.

5. If you are unable to answer a question in a detailed and complete manner or if you are unable to provide any of the information or documents requested, indicate the reason for your inability to do so. If you have reason to believe that there is an individual who may be able to provide more detail or documentation in response to any question, state that person's name and last known address and phone number and the reasons for your belief.

6. If you cannot provide a precise answer to any question, please approximate and state the reason for your inability to be specific.

7. For each document produced in response to this Request for Information, indicate on the document or in some other reasonable manner, the number of the question to which it applies.

8. If anything is deleted from a document produced in response to this Request for Information, state the reason for and the subject matter of the deletion.

9. If a document is requested but is not available, state the reason for its unavailability. In addition, identify any such document by author, date, subject matter, number of pages, and all recipients and their addresses.

10. The company and/or facility for the purposes of this Request for Information is Nelson Galvanizing, Inc., 11-02 Broadway, Long Island City, N.Y. 11106.

11. A generator of hazardous waste for the purposes of this Request for Information shall be defined as any person, by site, whose act or process produces hazardous waste or whose act first causes a hazardous waste to become subject to regulation.

12. Solid waste shall be defined for the purposes of this Request for Information as that term is defined in Section 1004(27) of RCRA, as amended, 42 U.S.C. Part 6903(27).

13. Hazardous waste shall be defined for the purposes of this Request for Information as that term is defined in Section 1004(5) of RCRA, as amended, 42 U.S.C. Part 6903(5).

14. Manage shall be defined for the purposes of this Request for Information as to market, generate, treat, store, dispose or otherwise handle.

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, that the submitted information is true, acurate and complete, and that all documents submitted herewith are complete and authentic, unles otherwise indicated. I am aware that there are significant penalties for submitting false information.

_____

NAME (print or type)

_____

TITLE (print or type)

_____

SIGNATURE

_____

DATE

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

DEC 28 1998

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

NOTICE OF VIOLATION

Mr. John Sweeney, President
Nelson Galvanizing, Inc.
11-02 Broadway
Long Island City, New York 11106

Re: Notice of Violation
Nelson Galvanizing, Inc.
EPA I.D. No. NYD001229350

Dear Mr. Sweeney:

This Notice of Violation ("NOV") is issued pursuant to Section 3008 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act ("RCRA") of 1976 and the Hazardous and Solid Waste Amendments ("HSWA") of 1984 42 U.S.C. § § 6901, 6928.

Section 3006 of the Act, 42 U.S.C. § 6926 provides that the Administrator of the U.S. Environmental Protection Agency ("EPA") may, if certain criteria are met, authorize a State to operate a hazardous waste program in lieu of the Federal program. The State of New York has received final authorization to administer its hazardous waste program in lieu of most of the Federal program. Section 3008 of the Act, 42 U.S.C. § 6928 authorizes EPA to enforce the provisions of the authorized State program.

Pursuant to RCRA, as amended by HSWA, the EPA promulgated rules, regulations, and standards governing the handling and management of hazardous waste as set forth in 40 C.F.R. Parts 260-272.

This second NOV serves to inform you of EPA's belief that: (1) you continue to be in violation of § 3007 of RCRA; and (2) you are in violation of the consent agreement/consent order (CA/CO) signed in October of 1994. This NOV also (1) presents you with analytical data from EPA's sampling that occurred on July 23, 1998 and EPA's determinations based upon those data; and (2) underscores the need for you to overpack and remove, as soon as possible, any hazardous waste being stored on-site.

For the purposes of this NOV and other correspondence between EPA and Nelson Galvanizing, Inc. the following terms are synonymous and are used interchangeably: (1) "sulphuric acid" is equivalent to "sulfuric acid" and vice versa; and (2) "caustic soda" is equivalent to "sodium hydroxide" and vice versa.

This second NOV formally serves to notify you, once again, that you remain in violation of RCRA § 3007 by failing to respond to the RCRA § 3007 Information Request letter sent via certified mail, dated September 24, 1998 (enclosed Attachment 1), which was delivered on September 28, 1998, to Mr. John Sweeney, President of Nelson Galvanizing, Inc. You were given thirty (30) days from the date of receipt of the RCRA § 3007 Information Request Letter to respond to the questions in that letter. You failed to do so and you did not seek an extension pursuant to the requisites outlined in that letter. On November 6, 1998 an earlier Notice of Violation (Attachment 2) was issued to you for failing to respond or not seeking an extension in time pursuant to the requirements set forth in the original RCRA § 3007 Information Request Letter, dated September 24, 1998.

You must take immediate action to remedy this violation. You must immediately submit a response with all the requested information specific to the operations of Nelson Galvanizing, Inc. No extension in the prior due date will be granted. In fact, the response is past due. Continued failure to comply with the NOVs and § 3007 Information Request increases the potential of Nelson Galvanizing, Inc. and/or Mr. John Sweeney to be subject to the enforcement provisions of Section 3008 of RCRA, 42 U.S.C. § 6928. Your compliance with the requirements of this NOV in no way waives or compromises EPA's right to take further enforcement against you for the above cited violation and other violations of the RCRA Statute and/or applicable regulations.

This letter also serves to inform you that the analyses of the waste and/or chemical samples that EPA took on July 23, 1998 have been received and reviewed. An enclosed copy (Attachment 3) presents you with the analytical results from the sampling of six (6) drums containing iron sulfate and the three (3) chemical tanks that contain (1) sulphuric acid, (2) sodium hydroxide, and (3) zinc ammonia chloride.

In addition, you have stated that the iron sulfate being stored on-site is a waste. EPA has determined this material to be a solid waste. The iron sulfate was deposited in the base of the sulphuric acid tank as a result of your company's galvanizing process. It was removed when you sold the liquid contents of and the polypropylene tank. Sampling and analytical data from the iron sulfate that is being stored in drums indicate that some of this material exceeds the toxicity characteristic for lead and is therefore "hazardous waste". The iron sulfate must be removed and disposed of appropriately and in accordance with the regulations immediately.

EPA has also determined that the liquid and sludge material in the three (3) tanks currently on-site are solid wastes. On July 23, 1998, EPA sampled the liquids and sludges from the sulphuric acid tank, the sodium hydroxide tank (no sludge), and the zinc ammonia chloride tank. Analytical data indicate that the liquid in the sulphuric acid tank exceeds the toxicity characteristic for chromium and approaches the characteristic level for corrosivity. Analytical data from the sodium hydroxide tank indicates that the liquid being stored in that tank exceeds the characteristic level for corrosivity. As a result, these materials are determined to be hazardous wastes and must be handled, removed and disposed of appropriately in accordance with the regulations immediately.

Furthermore, in accordance with the consent agreement and consent order (CA/CO) (enclosed as Attachment 4; especially paragraph 4; page 7) issued on October 26, 1994, you had to "(within) one year of the effective date of this agreement (CA/CO), either remove (properly) from the facility or apply for a permit to (appropriately) manage (all) such materials (including the iron sulfate, sulphuric acid, sodium hydroxide, and zinc ammonia chloride)". You accomplished neither removal of these materials nor received a permit to store these materials. Therefore, in accordance with paragraphs 4 and 5, page 7 of the CA/CO, you are also determined to be in violation of the CA/CO.

Please be advised that your facility is under the continuing obligation to comply with all the applicable state and federal regulations regarding the management of hazardous waste, as well as the CA/CO. Subsequently, if your facility should be found in violation of any of these regulations and/or CA/CO now and in the future, you may be subject to escalated enforcement actions, including, but not limited to, monetary penalties.

If you have any questions regarding this matter, please direct them to Mr. Philip Clappin at (212) 637-4129.

Sincerely yours,

George Pavlou, Acting Director
Division of Enforcement and Compliance Assistance

Enclosures

cc: Salvatore Carlomagno, Supervisor (w. Enclosures)
Hazardous Waste Compliance Unit
New York State Department of Environmental Conservation

Attachment 2

NOV - 6 1998

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

NOTICE OF VIOLATION

Mr. John Sweeney, President
Nelson Galvanizing, Inc.
11-02 Broadway
Long Island City, New York 11106

Re: Notice of Violation
Nelson Galvanizing, Inc.
EPA I.D. No. NYD001229350

Dear Mr. Sweeney:

This Notice of Violation ("NOV") is issued pursuant to Section 3008 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act ("RCRA") of 1976 and the Hazardous and Solid Waste Amendments ("HSWA") of 1984 42 U.S.C. § § 6901, 6928.

Section 3006(b) of the Act, 42 U.S.C. § 6926 provides that the Administrator of the U.S. Environmental Protection Agency ("EPA") may, if certain criteria are met, authorize a State to operate a hazardous waste program in lieu of the Federal program. The State of New York has received final authorization to administer its hazardous waste program in lieu of the Federal program. Section 3008(a) of the Act, 42 U.S.C. § 6928 authorizes EPA to enforce the provisions of the authorized State program.

Pursuant to RCRA, as amended by HSWA, the EPA promulgated rules, regulations, and standards governing the handling and management of hazardous waste as set forth in 40 C.F.R. Parts 260-272. For the purposes of this NOV, the hazardous waste regulations governing the generation of hazardous waste were promulgated in 1980 and amended by HSWA in 1984. This letter serves formally to notify you that you are in violation of RCRA § 3007. You have failed to respond to the RCRA § 3007 Information Request letter sent via certified mail, dated September 24, 1998 (enclosed), and which was delivered on September 28, 1998, to Mr. John Sweeney, President of Nelson Galvanizing, Inc. You were given thirty (30) days from the date of receipt of the RCRA § 3007 Information Request Letter to respond to the questions posed in that letter. You have failed to do so and you have not sought an extension pursuant to the requisites outlined in that letter.

If you have not already done so, you must take immediate action to remedy the violation cited above. Please submit, a response to the requested information specific to the current and/or former operations of Nelson Galvanizing, Inc. Failure to comply and submit the documentation requested in this Notice of Violation subjects you and/or your company to the enforcement provisions of Section 3008 of RCRA, 42 U.S.C. § 6928. Your compliance with the requirements of this NOV in no way waives or compromises EPA's right to take further enforcement against your company for the above cited violation.

Please be advised that your facility is under the continuing obligation to comply with all the applicable state and federal regulations regarding the management of hazardous waste. Subsequently, if your facility should be found in violation of any of these regulations in the future, you may be subject to escalated enforcement actions, including, but not limited to, monetary penalties.

If you have any questions regarding this matter, please direct them to Mr. Philip Clappin at (212) 637-4129.

Sincerely yours,

Walter E. Mugdan, Acting Director
Division of Enforcement and Compliance Assistance

Enclosure

cc: Salvatore Carlomagno, Supervisor
Hazardous Waste Compliance Unit
New York State Department of Environmental Conservation

bcc: Phil Clappin, (2DECA-RCB)
Phil Flax, (2DECA-RCB)
William K. Sawyer, ORC
RCRA Files, (2OPM-ISS)

Attachment 3

LAB DATA MANAGEMENT SYSTEM - REGION II
COMPLETED PROJECT APPROVAL

REPORT DATE 98/11/16

PROJECT NUMBER	PROJECT DATE	PROJECT NAME	
876	98/07/23	NELSON GALVANIZING	APPROVED 11/17/98

RECEIVED
NOV 17 1998
MONITORING & ASSESSMENT BRANCH-AIRB

PROJECT NO: 876

COMPLETED ANALYSIS REPORT

REPORT DATE: 98/11/16

PROJECT NAME: NELSON GALVANIZING

EXPLANATIONS OF REMARK CODES

REMARK CODE	EXPLANATION
B	RESULTS BASED UPON COLONY COUNTS OUTSIDE ACCEPTABLE RANGE
J	ESTIMATED VALUE
K	ACTUAL VALUE KNOWN TO BE LESS THAN VALUE GIVEN
L	ACTUAL VALUE KNOWN TO BE GREATER THAN VALUE GIVEN
N	NO OBSERVABLE EFFECT CONCENTRATION < 0.3%
O	SAMPLED BUT NOT ANALYZED DUE TO LAB ACCIDENT
T	REPORTED VALUE LESS THAN CRITERIA OF DETECTION
U	REPORTING LIMIT

QA/QC REMARK CODES

CODE	EXPLANATION
QD	ACCURACY CHECK SAMPLE ABOVE UPPER ACCEPTANCE LIMIT
QE	ACCURACY CHECK SAMPLE BELOW LOWER ACCEPTANCE LIMIT
QF	PRECISION OF CALIBRATION CURVE LESS THAN ACCEPTANCE CRITERIA
QJ	ESTIMATED DETECTION LIMIT DUE TO INTERFERENCE
QG	CONTINUING CALIBRATION CHECK DOES NOT MEET ACCEPTANCE CRITERIA
QS	SPIKE RECOVERIES ABOVE UPPER ACCEPTANCE LIMIT
QR	SPIKE RECOVERIES BELOW LOWER ACCEPTANCE LIMIT
QP	SAMPLE REPLICATE PRECISION DOES NOT MEET ACCEPTANCE CRITERIA
QH	RECOMMENDED HOLDING TIMES EXCEEDED
QT	TENTATIVELY IDENTIFIED COMPOUND
QM	PRESENCE OF MATERIAL VERIFIED BUT NOT QUANTIFIED
QB	BLANK CONTAMINATED BY ANALYTE IN EXCESS OF ACCEPTANCE CRITERIA
QQ	SAMPLE IMPROPERLY PRESERVED

LOCATION CODES FOR IDENTIFICATION OF SAMPLING POINTS AT INDUSTRIAL / SANITARY FACILITIES, LANDFILLS, HAZARDOUS WASTE SITES.

CODE NUMBERS	SAMPLING POINTS
1001 - 1050	EFFLUENT PIPE NUMBER 001 TO 050
1051 - 1099	OTHER EFFLUENTS SUCH AS COOLING TOWER DISCHARGE, DISCHARGE FROM HOLDING PONDS, ETC...
1100 - 1249	IN PLANT SAMPLES
1435 - 1454	SEPARATE INFLUENT POINTS/WATER SOURCES
15XX	INFLUENT ASSOCIATED WITH EFFLUENT 10XX
2000	BLANK FOR VOLATILE ORGANICS
3000 - 3099	GROUND WATER FROM WELL 01 TO 99
3100 - 3199	SEDIMENT SAMPLE (WATER BOTTOM)
3200 - 3299	SOIL SAMPLE
3300 - 3399	STREAM WATER SAMPLE
3400 - 3499	LAGOON SAMPLE
3500 - 3599	STORAGE TANK SAMPLE
3600 - 3699	LEACHATE SAMPLE
3700 - 3799	OTHER TYPE SAMPLE

COMPLETED ANALYSIS REPORT

REPORT DATE: 98/11/16

PROJECT NO: 876

PROJECT NAME: NELSON GALVANIZING

STATION NO	DATE FROM TO	TIME OF DAY	LABNO	PARNO	PARAMETER NAME	UNITS	CHEMISTRY	VALUE & REMARK	QA/QC REMARK
NONE	98/07/23	1146							
DEPTH: 0000 SUBSTRATE: OTHER									
DESCRIPTION: DRUM #1									
			090110	99920	CORROSIVITY	PH		10.3	
NONE	98/07/23	1151							
DEPTH: 0000 SUBSTRATE: SLUDGE									
DESCRIPTION: DRUM #2									
			090111	99999	SILVER	MG/L	TCLP	1 U	
				99999	ARSENIC	MG/L	TCLP	1 U	
				99999	BARIUM	MG/L	TCLP	20 U	
				99999	CADMIUM	MG/L	TCLP	0.2 U	
				99999	CHROMIUM	MG/L	TCLP	1 U	
				99999	LEAD	MG/L	TCLP	3.1	
				99999	SELENIUM	MG/L	TCLP	0.2 U	
NONE	98/07/23	1153							
DEPTH: 0000 SUBSTRATE: SLUDGE									
DESCRIPTION: DRUM #3									
			090112	99999	SILVER	MG/L	TCLP	1 U	
				99999	ARSENIC	MG/L	TCLP	1 U	
				99999	BARIUM	MG/L	TCLP	20 U	
				99999	CADMIUM	MG/L	TCLP	0.2	
				99999	CHROMIUM	MG/L	TCLP	1 U	
				99999	LEAD	MG/L	TCLP	6.8	
				99999	SELENIUM	MG/L	TCLP	0.2 U	
NONE	98/07/23	1156							
DEPTH: 0000 SUBSTRATE: SLUDGE									
DESCRIPTION: DRUM #4									
			090113	99999	SILVER	MG/L	TCLP	1 U	
				99999	ARSENIC	MG/L	TCLP	1 U	
				99999	BARIUM	MG/L	TCLP	20 U	
				99999	CADMIUM	MG/L	TCLP	0.2 U	
				99999	CHROMIUM	MG/L	TCLP	1 U	
				99999	LEAD	MG/L	TCLP	1 U	
				99999	SELENIUM	MG/L	TCLP	0.2 U	

COMPLETED ANALYSIS REPORT

REPORT DATE: 98/11/16

PROJECT NO: 876

PROJECT NAME: NELSON GALVANIZING

STATION NO	DATE FROM TO	TIME OF DAY	LABNO	PARNO	PARAMETER NAME	UNITS	CHEMISTRY	VALUE & REMARK	QA/QC REMARK
NONE	98/07/23	1159							
DEPTH: 0000 SUBSTRATE: SLUDGE									
DESCRIPTION: DRUM #5 - SLUDGE									
			090114	99999	SILVER	MG/L	TCLP	1 U	
				99999	ARSENIC	MG/L	TCLP	1 U	
				99999	BARIUM	MG/L	TCLP	20 U	
				99999	CADMIUM	MG/L	TCLP	0.2 U	
				99999	CHROMIUN	MG/L	TCLP	1 U	
				99999	LEAD	MG/L	TCLP	1 U	
				99999	SELENIUM	MG/L	TCLP	0.2 U	
NONE	98/07/23	1158							
DEPTH: 0000 SUBSTRATE: OTHER									
DESCRIPTION: DRUM #5 - LIQUID									
			090115	99920	CORROSIVITY	PH		2.2	
NONE	98/07/23	1205							
DEPTH: 0000 SUBSTRATE: SLUDGE									
DESCRIPTION: DRUM #6									
			090116	99999	SILVER	MG/L	TCLP	1 U	
				99999	ARSENIC	MG/L	TCLP	1 U	
				99999	BARIUM	MG/L	TCLP	20 U	
				99999	CADMIUM	MG/L	TCLP	0.2 U	
				99999	CHROMIUN	MG/L	TCLP	1 U	
				99999	LEAD	MG/L	TCLP	5.9	
				99999	SELENIUM	MG/L	TCLP	0.2 U	
NONE	98/07/23	1212							
DEPTH: 0000 SUBSTRATE: AQUEOUS									
DESCRIPTION: ZINC AMMONIUM CHLORIDE TANK - LIQUID									
			090117	99920	CORROSIVITY	PH		4.0	
NONE	98/07/23	1216							
DEPTH: 0000 SUBSTRATE: SLUDGE									
DESCRIPTION: ZINC AMMONIUN CHLORIDE TANK - SLUDGE									
			090118	99999	SILVER	MG/L	TCLP	1 U	
				99999	ARSENIC	MG/L	TCLP	1 U	
				99999	BARIUM	MG/L	TCLP	20 U	
				99999	CADMIUM	MG/L	TCLP	0.2 U	
				99999	CHROMIUM	MG/L	TCLP	1 U	

COMPLETED ANALYSIS REPORT

REPORT DATE: 98/11/16

PROJECT NO: 876

PROJECT NAME: NELSON GALVANIZING

ATION NO	DATE FROM TO	TIME OF DAY	LABNO	PARNO	PARAMETER NAME	UNITS	CHEMISTRY	VALUE & REMARK	QA/QC REMARK
:	98/07/23	1230							
H: 0000	SUBSTRATE: OTHER								
RIPTION:	SULFURIC ACID TANK - LIQUID								
			090118	99999	LEAD	MG/L	TCLP	4.2	
				99999	SELENIUM	MG/L	TCLP	0.2 U	
			090119	99999	SILVER	MG/L	TCLP	1 U	
				99999	ARSENIC	MG/L	TCLP	1 U	
				99999	BARIUM	MG/L	TCLP	20 U	
				99999	CADMIUM	MG/L	TCLP	1.1	
				99999	CHROMIUM	MG/L	TCLP	7.6	
				99999	LEAD	MG/L	TCLP	1 U	
				99999	SELENIUM	MG/L	TCLP	0.5 U	
				99920	CORROSIVITY	PH		2.8	
:	98/07/23	1234							
H: 0000	SUBSTRATE: SLUDGE								
RIPTION:	SULFURIC ACID TANK - SLUDGE								
			090120	99999	SILVER	MG/L	TCLP	1 U	
				99999	ARSENIC	MG/L	TCLP	1 U	
				99999	BARIUM	MG/L	TCLP	20 U	
				99999	CADMIUM	MG/L	TCLP	0.2	
				99999	CHROMIUM	MG/L	TCLP	1 U	
				99999	LEAD	MG/L	TCLP	1 U	
				99999	SELENIUM	MG/L	TCLP	0.2 U	
:	98/07/23	1222							
H: 0000	SUBSTRATE: OTHER								
RIPTION:	SODIUM HYDROXIDE TANK								
			090121	99920	CORROSIVITY	PH		13.6	

***** END OF PROJECT *****